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MINUTES OF THE SUPREME COURT OF THE UNITED STATES

Roll 9

Volumes 26-28

October 4, 1869 - February 15, 1872

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NOTES ON ROLL 9

The three volumes reproduced on this roll have the following backstrip titles: (1) "Minutes / Supreme Court / U. S. / 26 / October 4, 1869 / to / April 1, 1870"; (2) "Minutes / Supreme Court / U. S. / 27 / April 1, 1870 / to / March 24, 1871"; and (3) "Minutes / Supreme Court / U. S. / 28 / Mar. 24, 1871 / to / Feb. 15, 1872." They contain the minutes of the Supreme Court of the United States from October 4, 1869, to February 15, 1872.

The first volume contains the minutes of the Court from October 4, 1869, to April 1, 1870; the second, from April 1, 1870, to March 24, 1871; and the third, from March 24, 1871, to February 15, 1872.

VOLUME

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Minutes of the Supreme Court of the United States.

Adjourned December Term 1868.

Monday October 4th 1869.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Salmo. P. Chase Chief Justice
Nathan Clifford
Noah H. Swayne
David Davis
} Associate Justices

Richard C. Parsons Esquire Marshal.
Daniel Wesley Middleton, Clerk.

There not being a sufficient number of the Justices present to constitute a Quorum.

The Court is adjourned until tomorrow morning at eleven o'clock.

Tuesday October 5th 1869.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Nathan Clifford, Associate Justice.

Richard C. Parsons Esquire, Marshal

Daniel Wesley Middleton, Clerk.

There not being a sufficient number of the Justices present to constitute a quorum.

The Court is adjourned until tomorrow morning at eleven o'clock.

Wednesday October 6th 1869.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase, Chief Justice.

Samuel Nelson
Robert C. Grier — Associate
Nathan Clifford — Justices.
Noah H. Swayne
Samuel F. Miller &
David Davis

Richard C. Parsons Esquire, Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr P. Phillips, it is ordered that Thomas Allen Clarke Esquire of New Orleans State of Louisiana, be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

On motion first made to the court in this behalf by Mr J. Hubley Ashton it is ordered that Anthony Pollok Esquire of Washington City District of Columbia be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

Ex parte. In the matter of Benjamin Brown, Eli Wood, John H. Halligan, James Whalon, Granville Rose William Andrews, and Philip Stonemetz.	On petition for a writ of Habeas Corpus.
18 Original - Petitioners.	ad subjiciendum.

Mr Boyce moved the court for leave to file petition for writ of Habeas Corpus. On consideration whereof, it is now here ordered by the court that said motion be, and the same is hereby set down for argument on Friday next.

Moses Haines
128 vs. Plaintiff in Error
The Mayor &c of the City
of Mobile.

J. T. Woodruff, and
J. M. Parker, partners
as Woodruff and Parker
129 vs. Plaintiffs in Error
John Purham Collector
of Mobile.

and

John W. Hinson
130 vs. Plaintiff in Error
Elisha S. Lott, Collector
of County of Mobile.

On motion of Mr J Phillips it is now here ordered by the Court that the order of continuance entered in these cases, be, and the same is hereby revoked and annulled, and that said cases be set down for argument immediately after the argument of 139.

The Mayor and Aldermen
of the City of Memphis.
135 vs. Appellant.
Thompson Dean.

Appeal from the Cir. Court

of the United States for the West.

Wednesday October 6th 1869 continued

ern District of Tennessee.

The argument of this cause was commenced by Mr E. P. Stanton of counsel for the appellant and continued by Mr McRae and Mr Humes of counsel for the appellee.

Proclamation being made the Court is adjourned until tomorrow morning at eleven oclock.

Thursday October 7th 1869

Pursuant to adjournment, the Court met this morning at the Capitol

Present.

The Honorable Salmon P. Chase, Chief Justice

Samuel Nelson
Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
} Associate Justices

Richard C. Parsons Esquire, Marshal
Daniel Ashley Middleton, Clerk.

Proclamation being made the Court is opened.

The Mayor and Aldermen of the City of Memphis. vs. Appellant
155 Thompson Dean.

The argument of this cause was concluded by Mr Stanton of counsel for the appellee.

Thursday October 7th 1859. continued.

113.	Archibald P. Scarlett, administrator — vs. Irwin W. Fuller.	This cause was argued by Mr Chipman of Counsel for the defendant in error, and submitted on printed argument by Mr Garland of counsel for the plaintiff in error.

112	Jack Thorrington vs. Appellant William A. Smyth et al.	This cause was argued by Mr P. Phillips of counsel for the appellant. No counsel appearing for the appellee.

20.	O. P. & C. S. Railroad vs. Appellants. The United States and	Ordered by the Court that these causes be passed for the present.
39.	Israel Deming vs. Appellant. The United States	

Thursday October 7th 1869 continued.

The New Orleans and Bayou Sara Mail Co. v. Appellant. Anthony Hernandez et al.	Ordered by the Court that this cause be, and the same is hereby continued to the next term.

574.

Jeremiah Clark et al. v. Appellants. William S. Leyburn.	This cause was argued by Mr Clark of Counsel for the appellee, and submitted on printed argument by Mr Wheat of Counsel for the appellants.

120.

Proclamation being made the Court is adjourned until to-morrow morning at eleven o'clock.

Friday October 8th A.D. 1869

Pursuant to adjournment the Court met this morning at the Capitol -

Present.

The Honorable Salmon P. Chase Chief Justice -

Samuel Nelson
Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
} Associate Justices.

Richard C. Parsons Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr Thomas Wilson it is ordered that Augustus W. Schard Esquire of Saint Louis State of Missouri be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr H. H. Boyce it is ordered that D. W. Barziza Esqure of Houston State of Texas be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr P. Phillips. it is ordered that C. A. Lochrane (O.) Esqure of Atlanta State of Georgia be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

Ex parte: Edward M Yerger
17 Original Petitioner —

Mr. P. Phillips moved the court for leave to file a petition for writs of Habeas Corpus, and certiorari in this cause - On consideration it is now here ordered by the Court that said motion be, and the same is hereby granted.

Ex parte In the matter of Benjamin Brown, Eli Wood, John H. Hallijan, James Whalon, Franville Rose, William Andrews & Philip Kennedy. 18 Original - Petitioners

On consideration of the motion of Mr Joyce for leave to file a petition in this case, for a writ of Habeas Corpus &c. it is now here ordered by the court that said motion be, and the same is hereby granted.

The State of Texas Complainant 6 original - vs. George W. White John Chiles, John H. Hardenburg, Weston F. Birch, Byron Murray Junior, George W. Skinner and Charles L. Shaw.

The motion of Mr Carlisle and Mr Evarts for leave to take further proof in this cause was argued by them in support thereof and by Mr Paschal in opposition to the same. Whereupon this Court not being now here sufficiently advised of

and concerning what order to render in the premises took time to consider.

The United States 124 vs. Appelland Theodore Adams	Mr Wells filed motion to amend the decree and mandate of

this court, in this cause.

Samuel & Louis Fasnacht 310 vs. Plaintiffs in Error. Deborah Westerfield and Cornelius Westerfield and Peter A. H. Jackson.	Mr Dunn filed motion for a writ of certiorari in this

cause.

Ex parte In the matter of Charles H. Lemeau Jr. administrator of Peter C Edwards, deceased 19 Original - Petitioner.	Petition for writ of Mandamus.

Mr Boyce asked and obtained leave to file a petition for a writ

of Mandamus in this cause.

Ex parte In the matter of John F. Sargood	Petition for writ of Mandamus
20 Original. Petitioner	to the Court

of Claims.

Mr Durant asked and obtained leave to file a petition for a writ of Mandamus in this cause.

John H. McKee Claimant of 137 Bales of cotton, 100 Coils of Rope &c.	The argument of this cause was commenced
15 vs. Appellant	by Mr
The United States.	

Corwine of counsel for the appellant, continued by Mr Attorney General Hoar of Counsel for the appellees and concluded by Mr Corwine for the appellant.

Samuel B. Saul Plaintiff in Error. 139. vs. The Commonwealth of Virginia	The argument of this cause was commenced by Mr Daniel of counsel for the plaintiff in error, and continued by Mr. C. Robinson of counsel for the defendant in error.

Proclamation being made, the Court is adjourned until Monday Morning next at eleven o'clock.

Monday October 11th 1869.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase Chief Justice.

Samuel Nelson
Nathan Clifford
Samuel F. Miller
David Davis
Stephen J. Field
} Associate Justices.

Richard C. Parsons Esquire Marshal.

Daniel Wesley Middleton, Clerk.

Proclamation being made, the Court is opened.

17 Ex parte Edward M. Yerger. Original - Petitioner | On consideration of the motion

of Mr Carlisle and Mr P. Phillips. It is now here ordered by the Court that the motion and petition for writs of Habeas Corpus and Certiorari be and the same is hereby set down as the first case for argument on Friday next the 15th instant.

	Ex parte. In the matter of Benjamin Brown, Eli Wood, John H. Halligan, James Thurlow, Granville Rose, William Andrews, and Philip Stoneretz.	It is now here ordered by the Court that this cause be passed for the
18	Original. Petitioners.	

present, and abide the decision on the petition of Edward McGerger.

	The State of Texas Complainant	On consideration of the motion of
6	Original - vs:	Mr Evarts and Mr Carlisle for leave
	George W. White, John Chiles, John A. Hardenbergh, Weston F. Birch, Byron Murray Jr. George W. Stewart and Charles P. Shaw	to take further proof. it is now here ordered by the

Court that said motion be, and the same is hereby denied, and that the case stand for hearing on next motion day.

Mr. Hoar, Attorney General of the United States, addressed the Court, as follows:

"May it please your Honors.

Since the adjournment of this court on Friday last, the intelligence has been received that on the morning of that day, Franklin Pierce, the fourteenth President of the United States, departed from this life, at his home in New Hampshire, in the 65th year of his age. The President has directed that on this day appointed for his funeral, as a mark of respect to his memory, the emblems of public mourning shall be displayed, and all business in the Executive Departments shall be suspended. With the sentiments which prompted this action, I cannot doubt that your Honors will entirely concur.

This is neither the fitting time nor place to speak the eulogy of the deceased or to determine

the rank which may rightfully be assigned to him in the long and illustrious roll of our Chief Magistrates. Before that opening grave, in sympathizing reverence, the nation will to-day unite in remembering, that at an earlier age than any of his predecessors and by a majority in the electoral College almost unexampled he was called to be the successor of Washington; that he was honored and trusted by the American people, to whose service he gave the vigor and maturity of his powers; and that his departure brings grief to the hearts of many men and women, whom he deeply and tenderly loved, and by whom his loss is mourned as that of the most tender and affectionate of friends.

In contemplation of such an event, it can hardly be unfitting to ask that this high tribunal should pause in its stated

and unaccustomed labors and join with the other departments of the Government in giving it due recognition."

To which Mr Chief Justice Chase, made the following replys.

"The Court recognizes the propriety of its concurrence with the Executive Department in suitable marks of respect for the eminent citizen whose death has been so fittingly announced by the Attorneys General.

Franklin Pierce was not connected with the Judicial Department of the Government, but during a critical period, he held by the choice of a great majority of the people the highest office in their gift, and while he held it, as indeed through his whole life, drew to him by the most engaging personal qualities, the affection and esteem of his countrymen.

Others elsewhere will perform the duty of speaking of his services as the Head of the Government, and of the event which distinguished his administration. He has descended to the grave in the ripeness of years, in his own native State, surrounded by affectionate friends and confiding fellow citizens.

As the only mark of respect in our power, the Court will adjourn to day without proceeding to its ordinary business."

Proclamation being made the Court is adjourned until to morrow morning at Eleven o'clock.

Tuesday October 12th 1869.

Pursuant to adjournment the Court met this morning at the Capitol

Present.

The Honorable Salmon P. Chase Chief Justice.

Samuel Nelson
Robert C. Grier
Nathan Clifford
Samuel F. Miller
David Davis and
Stephen J. Field.

} Associate Justices

Richard C. Parsons Esquire Marshal
David Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr P. Phillips it is ordered that Edwin T. Merrick Esquire of New Orleans State of Louisiana be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr Carlisle, it is ordered that Morris Sampsey Esquire of Saint Paul, State of Minnesota be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr W. L. Sharkey, it is ordered that W. Yerger Esquire of Jackson State of Mississippi, and John S. Key Esquire of Terre Haute State of Indiana be admitted to practice as attorneys and counsellors of this court and they were sworn accordingly.

Samuel S. Paul Plaintiff in Error vs. The Commonwealth of Virginia.	The argument of this cause was continued by Mr. C Robinson of Counsel

39

for the defendant in error and concluded by Mr R. H. Curtis of counsel for the plaintiff in error.

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128 Moses Waring
Plaintiff in Error
vs:
The Mayor &c. of the City of Mobile.

The argument of this cause was commenced by Mr J. A. Campbell of counsel for the plaintiff in error, continued by Mr P. Phillips of counsel for the defendant in error & concluded by Mr Campbell for the pff in error.

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129 L. D. Woodruff and G. M. Parker partners as Woodruff & Parker.
vs: Plaintiffs in Error.
John Parham, Collector of Mobile
and
130 John W. Hinson
vs Plaintiff in Error.
Wm. R. Lee Coll. of Co. of Mobile.

The argument of this cause was commenced by Mr J. A. Campbell of counsel for the plaintiffs in error.

Proclamation being made, the Court is adjourned until tomorrow morning at Eleven o'clock.

Wednesday October 13th 1819

Pursuant to adjournment, the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase Chief Justice.

Samuel Nelson
Robert C Grier
Nathan Clifford
Samuel F Miller
David Davis
Stephen J. Field
} Associate Justices

Richard C Parsons Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court on this behalf by Thomas J. Durant Esquire, it is ordered that W. S. Benedict Esquire of New Orleans State of Louisiana be admitted to practice as an attorney, and counsellor of this court and he was sworn accordingly.

Wednesday October 13th 1869 continued-

The Steamboat Nancy Fisher &c. Appellant.
185 vs:
The Illinois River Packet Company.

On motion of Mr Henderson it is ordered by the Court that this cause be and the same is hereby continued to the next term.

J. P. Woodruff and G. M. Butler, partners as Woodruff and Butler. Plaintiffs in Error.
129 vs:
John Pinkum, Collector of Mobile
and
John D. Henson
130 vs Plaintiffs in Error.
Elisha B. Lott Collector of County of Mobile.

The argument of these cases was continued by Mr J. A. Campbell of counsel for the plaintiff in error continued by Mr J. Phillips of counsel for the defendant in error and concluded by Mr Campbell for the plaintiffs in error.

Wednesday October 13th 1859 continued.

David B Morgan et al. Appellants vs: Hamilton D. Lockwood	The argument of this cause was commenced by Mr H. F. French of

440.

Counsel for the appellants.

Proclamation being made, the Court is adjourned until tomorrow morning at eleven o'clock.

Thursday October 14th 1869.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P Chase Chief Justice.
Samuel Nelson
Robert C Grier
Nathan Clifford
Noah H Swayne
Samuel F Miller
David Davis
Stephen J Field.
} Associate Justices.

Richard C Parsons Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made, the Court is opened.

David P Morey.
William C Smith
& Francis P Richardson
Appellants.
vs:
Hamilton D Lockwood.

1410.

The argument of this cause was continued by Mr French of Counsel for the appellants - by Mr Curtiss Brown and Mr B R Curtis.

Thursday October 14th 1869 Continued

The Sag "James E. Eagle" Michael P. Kean Claimant. Appellant. vs: W. F. Frazer owner of Sag "Sea Worth"	This cause was submitted to the consideration of the Court on the transcript and printed argument by Mr L. S. Sweeney of counsel for the appellant, and by Mr W. A. Moore, and Mr Geo B. Hibbard of counsel for the appellee.

152

The President Directors and Company of the Eagle Bank vs Plaintiffs Jeremiah Tenne Collector of Internal Revenue.	Ordered by the Court that this Cause be, and the same is hereby Continued to the next term. (with leave to submit on printed briefs at present term.)

153

The American Wood Paper Company. Appellant vs. Jacob D Haft, S. A. Rudolph and John W. Dixon.	Ordered by the Court that this cause be, and the same is hereby passed for the present.

154

Josiah M Mills and Flora M Mills. Plaintiffs in Error. vs. Nathaniel Smith	This cause was submitted to the consideration of the Court on the record and printed arguments by Mr E S Smith of counsel for the plaintiffs in error and by Mr. H. M. Read of counsel for the defendant in error.

156

Allison Naylor Plaintiff in error vs. Victor A. Williams adm of William H. Williams, deceased.	This cause was submitted to the consideration of the Court on the record and

157

limited argument by Mr Brent and Mr Phillips of counsel for the plaintiff in error, and by Mr Bradley of counsel for the defendant in error.

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158 The Materials &c. of the "Camanche" P. Donohue et al. Claimants. Appellants. vs: The Coast Wrecking Company of New York.

Ordered by the Court that the Cause be, and the same is hereby continued to the next term.

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159 William Aldrich Martin B. Medbury, H. H. Smith, John W. Medbury, and James F. Aldrich Plaintiffs in error vs The Aetna Insurance Company.

Ordered by the Court that this Cause, be, and the same is hereby continued to the next term.

Hall Pedell Libellant
Appellant

160 vs:

The Steamship "Potomac"
her tackle &c. J. E. Parsons
et al Claimants.

Ordered by the Court that this cause be and the same is hereby continued to the next term.

John E. Neale
Appellant

162. vs

Benjamin J. Neale,
and Mary H. Neale
his wife.

Ordered by the Court that this cause be, and the same is hereby continued to the next term.

Proclamation being made, the Court is adjourned until tomorrow morning at eleven o'clock.

Friday October 15th 1869.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase Chief Justice.

Samuel Nelson
Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis and
Stephen J. Field

Associate Justices.

Richard C. Parsons Esquire Marshal.

Daniel Wesley Middleton Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by the Attorney General Hoar, it is ordered, that Wallbridge A. Field Esquire of Boston, State of Massachusetts, be admitted to practice as an attorney & counsellor of this court and he was sworn accordingly.

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310. Samuel & Louis Fisnacht Plaintiffs in Error vs. Deborah Westerfield and Cornelius Westerfield and Peter H. H. Jackson. | On consideration of a suggestion of a diminution of the record in this cause and motion for writ of certiorari filed by Mr T. J. Durant of counsel for the defendant in error, which said diminution is in the words and figures following, viz:

"That there is an important and material diminution of the record as sent up from the Circuit Court of the United States for the District of Louisiana, in that whereas, in the original petition filed in said Circuit Court by the said Defendants in error it was alleged that the said defendants in error were citizens of the State of New York and that the plaintiffs in error were citizens of the State of Louisiana, yet the clerk of the

Circuit Court aforesaid in making his return to the writ of error herein has entirely omitted said allegations of citizenship from his copy of the petition as found in the transcript of the record now on file here and returned with the writ"

It is now here ordered and adjudged by this Court that a writ of certiorari be, and the same is hereby awarded to be issued forthwith and to be directed to the Judges of the Circuit Court of the United States for the District of Louisiana, commanding them that searching the records and proceedings aforesaid they forthwith certify to this Court under the seal of the said Circuit Court whatever omissions and errors shall be found in this cause and return the same with the said writ of certiorari to this Court.

Per Mr Chief Justice Chase.

Ex parte Edward McGregor
17 Original - Petitioner

The argument of the question of jurisdiction on the petition for a writ of Habeas Corpus in this case was commenced by Mr P. Phillips in support of the same, continued by Mr Attorney General Hoar in opposition thereto, and concluded by Mr Carlisle in favor of the same.

The President Directors and Company of the Venzie Bank.
Plaintiffs
53 vs.
Jeremiah Penne Collector of Int. Revenue.

Mr Johnson of counsel for the plaintiffs moved the Court to strike out the order of continuance entered in this cause on the 14th instant - Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises

took time to consider.

The State of Texas Complainant. vs. George W. White, John Chiles, John H. Hardenbergh, Weston F. Rich, Byron Murray, Junior. George W. Stewart, and Charles P. Shaw.	Mr Paschal filed motions for final decree as to Hardenbeg, Rich Murray and Company.

State of Texas Complainant. vs. Geo. Peabody & al.	Mr Paschal filed motion for leave to file Bill of Compleint in this cause and Subpoena &c.

Proclamation being made, the Court is adjourned until Monday morning next at Eleven o'clock.

Monday October 18th 1869.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase, Chief Justice.

Samuel Nelson
Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
} Associate Justices.

Richard C. Parsons Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr William M. Evarts, it is ordered that Charles F. Southmayd Esquire of New York City State of New York, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

John H. McKee Claimant of 137 Bales of Cotton 100 Coils of Rope, 16 Bales, & Rolls, and 160 pieces of Bagging and 29 pieces of Leather.	Appeal from the District Court of the United States for the Southern District of Illinois.
Appellant.	
vs:	
18 The United States	

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of Illinois and was argued by Counsel. On consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby affirmed.

per Mr Justice Davis.

	The Mayor and Aldermen of the City of Memphis. The Memphis Bayou Gas Company and The Memphis Gas Light Company. Appellants.	Appeal from the Circuit Court of the United States for the Western District of Tennessee.
155	vs.	
	Thompson Dean	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Tennessee, and was argued by Counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby reversed with costs. and that this cause be, and the same is hereby remanded to the said Circuit Court with directions to dismiss the bill.

per Mr Justice Nelson.

Monday October 15th 1866 Continued.

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153 The President Directors and Company of the Bergere Bank vs. Plaintiffs
Jeremiah Thom. Coll.r &c.

On consideration of the motion of Mr Ready Johnson it is now here ordered by the Court that the order of Continuance entered in this cause, on the 14th instant be, and the same is hereby stricken out.

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158 The Materials of the "Comanche" P. Donohue et al. Claimants vs. Appellants
The Coast Wrecking Company of New York.

On the motion of Mr White-house it is now here ordered by the Court that the order of continuance entered in this cause on the 14th instant, be, and the same is hereby stricken out, and by the written agreement of Counsel on file the case is hereby set down for argument on the 26th instant.

The State of Texas Complainant vs. George Peabody et al.	Leave granted Mr Paschal to file Bill in this case and the motion for process to issue, be, and the same is hereby set down for argument on Friday next the 22nd instant.

The Providence Rubber Company. Appellant vs. 166 Charles Goodyears admrs et al	On the motion of Mr Cushing it is now here ordered by the Court that this cause be, and the same is hereby continued to the next term.

William M Farrington Plaintiff in Error. vs. 172 Rolfe S. Saunders	On the motion of Mr Attorney General

Now it is now here ordered by the

Court that this cause be, and the same is hereby continued to the next term and that the same be set down for argument on the 1st Tuesday of December next.

The President, Directors and Company of the Venzie Bank
Plaintiffs.
vs.
153. Jeremiah Stone Collector &c.

The argument of this cause was commenced by Mr Cushing of Counsel for the plaintiff, continued by Mr Attorney General Hoar of Counsel for the defendant, and concluded by Mr Reverdy Johnson for the plaintiff.

Proclamation being made, the Court is adjourned until tomorrow morning at eleven o'clock.

Tuesday October 19th 1869.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase Chief Justice

Samuel Nelson
Robert C Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis and
Stephen J Field

Associate Justices

Richard C. Parsons Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

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164 The Baltimore & Ohio Railroad Company Plaintiff in Error
vs
Ellen T. Harris admx of John C Harris. dec'd

The argument of this cause was commenced by Mr J. A. Buchanan of Counsel for the Plaintiff in error, continued

by Mr J. J. D. Fuller and Mr Dalridge of Counsel for the defendant in error and concluded by Mr J. H. Bradley for the plaintiff in error.

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165. George Mallingly Complainant & Appellant vs. J. W. Nye - J. C. Harness et al.

This cause was argued by Mr J. H. Bradley of Counsel for the appellees and submitted on printed argument by Mr S. L. Phillips and Mr W. S. Cox of Counsel for the appellant.

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159 William Aldrich et al Plaintiffs in Error vs. The Aetna Ins. Co. et al.

On the motion of Mr Lee it is now here ordered by the Court that the order of Continuance entered in this case on the 14th instant

be, and the same is hereby stricken out.

William Aldrich et al Plaintiffs in error vs The Aetna Insurance Co.	This cause was submitted to the consid-

eration of the Court on the record and printed argument by Mr Lee of counsel for the plaintiffs in error.

Proclamation being made the Court is adjourned until tomorrow morning at eleven oclock.

Wednesday October 20th 1859.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase Chief Justice.

Samuel Nelson
Robert C Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
} Associate Justices

Richard C Parsons Esquire Marshal.
Daniel Staley Middleton Clerk.

Proclamation being made the Court is opened.

John Maguire Plaintiff in Error vs. Mary L. Tyler et al.	The Chief Justice announced that the motion of Mr Phillips in this case would be the first in order for argument on Friday next, to be followed by argument of the

107

Wednesday Oct. 20th 1869 Cont'd.

motion in the Texas case No 6 on the original docket.

William Hendrickson Plaintiffs in Error
vs.
The Aetna Insce Co

On the motion of Mr Bartley it is now here ordered by the Court that he have leave to file a brief or printed argument in this case in behalf of the defendant in error, on or before Wednesday next the 27th instant.

Joshua Burrell & Co. Appellant
vs.
The Propeller "Mohawk"

This cause was argued by Mr S. W. Fuller of counsel for the appellant, and submitted on printed argument by Mr C. S. Smith of counsel for the appellee.

Wednesday October 20th 1869 continued

James J. Dull and James Govan Plaintiffs in error vs. John T. Offerman Illinois.	In error to the Circuit Court of the United States for the Northern District of

169.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and the plaintiffs in error having been three times solemnly called by the Marshal to come into Court and prosecute their writ of error, and failing to appear. it is thereupon on motion of Mr Fuller of counsel for the defendant in error, now here ordered and adjudged by this Court, that this writ of error be, and the same is hereby, dismissed with costs.

per Mr Chief Jus Chase

Wednesday October 20th 1859 Continued

	The Delaware & Hudson Canal Company. Plaintiffs in error vs. The Pennsylvania Coal Co	The argument of this cause was commenced by Mr Nash of Counsel for the plaintiffs in error, and continued by Mr O J Dunning for the defendant in error.
170		

Proclamation being made, the Court is adjourned until tomorrow morning at eleven oclock—

Thursday October 21st 1869

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase Chief Justice

Samuel Nelson
Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field.

} Associate Justices.

Richard C. Parsons Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Carlisle, it is ordered that George Pratt Esquire of Norwich State of Connecticut be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Thursday October 21st 1869 Continued-

On motion first made to the court on this behalf by Mr W. M. Evarts, it is ordered that J. H. Morgan Esquire of New Orleans, State of Louisiana be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

The Delaware and Hudson Canal Co. Plaintiff in error vs. The Pennsylvania Coal Company.

The argument of this cause was concluded by Mr Nash of counsel for the plaintiff in error.

Levi W. Dunn Appellant vs. Robert D. Harvey admr

This cause was argued by Mr Hughes of counsel for the appellant and leave granted Mr Baldwin to file printed argument on behalf of the appellee-

Thursday Octr 21st 1869 Continued

The Steamboat James Guy &c William J. Healy Claimant Plaintiff in Error 173 vs. Young Tall	Ordered by the Court that this cause be, and the same is hereby continued to the next term, (as per Stipulation of counsel on file.)

Henry Douglas Plaintiff in Error 174 vs. William Douglas, admr.	The argument of this cause was commenced by Mr Webb of Counsel for the plaintiff in error continued by Mr H. S Cox, and Mr. J. H Bradley of counsel for the defendant in Error, and concluded by Mr Davidge for the plaintiff in error.

Robert Patterson Plaintiff in Error 175 vs. Emilie De la Ronde Widow &c.	The argument of this cause was commenced by Mr Durant of counsel for

the plaintiff in error, and continued by Mr Evarts of counsel for the defendant in error.

2414 The Ship D. L. Stariman, Appellant vs. Joseph Emeric. | On motion of Mr Evarts it is now here ordered by the Court that this cause be and the same is hereby continued to the next term.

2415 James D. Boylan Plaintiff in Error, vs. The United States | On motion of Mr Evarts, it is now here ordered by the Court that this cause be, and the same is hereby continued to the next term.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Friday October 22nd 1869.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase, Chief Justice.

Samuel Nelson
Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field

} Associate Justices

Richard C. Parsons Esquire Marshal
Daniel Wesley Middleton Clerk.

Proclamation being made, the Court is opened.

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510 William A. Richardson, Appellant, vs. The United States

Mr Assistant Attorney General Field of Counsel for the appellee having filed and read in open Court the following certificate to wit;

"In the District Court of the United States for the District of California.

William A Richardson, Appellant, vs. The United States, Appellees. } Land case No 110 S. N. D. Land Com" No 103. For lands in Mendocino Co.

I George E Whitney Clerk of the Circuit Court, and ex officio Clerk of the District Court of the United States for the District of California do hereby certify that an order granting an appeal on behalf of the claimant in the above entitled cause to the Supreme Court of the United States was made and entered in said cause on the third day of December one thousand eight hundred and sixty-seven and that no further proceedings have been had in said cause since that date.

Seal

In witness whereof I have hereunto set my hand and affixed the seal of said U.S. District Court at San Francisco this 9th day of

Friday October 22nd 1869 Continued.

September A.D. 1869.

Geo. E. Whiting,
Clerk. "

and having stated to the Court that the appellant had allogether failed to file the record of said cause in this Court or in any way to prosecute said appeal. Now here moved the Court in pursuance of the 6th rule of this Court to have this appeal docketed and dismissed. On consideration whereof, it is now here ordered adjudged and decreed by this Court that this appeal from the District Court of the United States for the District of California be, and the same is hereby docketed and dismissed. And that this cause, be, and the same is hereby remanded to the said District Court for further proceedings to be had therein in conformity to law and justice the said appeal notwithstanding.

per Mr Chief Justice Chase.

Friday October 22nd 1869 Continued

511	Juan C. Galindo Appellant vs The United States	Mr Assistant Attorney Field of counsel for the appellee having filed and read in open Court the following certificate to wit:

"At a stated term of the District Court of the United States of America, for the Northern District of California, held at the Court Room in the City of San Francisco on Thursday the 30th day of July in the year of our Lord one thousand eight hundred and sixty three.

Present.

The Honorable Ogden Hoffman District Judge.

The United States vs. Juan C. Galindo } No. 347.

This cause came on to be heard on the appeal of the claimant from the final decision of the Board of Commissioners to ascertain and settle

the private land claims in the State of California under the Act of Congress approved March 3rd A.D. 1851, upon the transcript of the proceedings and decision of said board and upon the further evidence in this Court taken by order of the Court; and it appearing to the Court that the said transcript was duly filed according to law. Now therefore the cause having been regularly brought to a hearing counsel for the respective parties present and due deliberation had in the premises. It is ordered, adjudged, and decreed that there is no error in the decree of the said Board and that the said decree be, and the same hereby is affirmed. And it is further ordered adjudged and decreed that the claim of the said Juan C. Galindo is invalid that the said claim be, and hereby is rejected, and that the petition of said Galindo for a confirmation

be and the same hereby is dismissed.
Ogden Hoffman
District Judge.

Endorsed No 347
United States District Court
Southern District of California.

The United States
vs.
Juan C. Galindo.

Decree rejecting Claim
Filed July 30th. 1863.
W. H. Chevers. Clerk.

No 347
Juan C. Galindo
vs.
United States

On motion of Edmond L. Goold of counsel for the Claimants it is ordered that an appeal from the decree rejecting the claim herein made, be allowed the Claimant to the Supreme Court of the United States.
Ogden Hoffman, Dist. Judge.

Friday October 22nd 1869 Continued -

Endorsed No 347. U.S. Dist Court, Dist. of Cal. Juan C. Iglesias vs. The United States - Appeal filed and entered Decr 7th 1865. Geo. C. Gorham Clerk. - By David J. Sullivan Deputy -

I George C. Whitney Clerk of the Circuit Court of the United States for the District of California and ex officio Clerk of the District Court of the United States for said District do hereby certify the above and foregoing to be full, true and correct copies of a decree rejecting Claim, and order of court allowing Claimants to appeal with the Endorsements thereon as the same appear on file in my office

And I do further certify that since the Decree rejecting Claim July 30th 1853. was filed, no other or further proceedings have been had in said cause except the order allowing Claimants appeal filed December 7th 1865.

Seal

Witness my hand and the seal of said District Court, this 5th day of August A.D. 1869

Geo. E. Whitney Clerk.

By H. F. Gardner Deputy.

And having stated to the Court that the appellant had altogether failed to file the record of said cause in this Court or in anyway to prosecute said appeal. Now here moved the Court in pursuance of the 9th rule of this Court to have this appeal docketed and dismissed. On consideration whereof it is now here ordered adjudged and decreed by this Court that this appeal from the District Court of the United States for the District of California, be, and the same is hereby docketed and dismissed. And that this cause be, and the same is hereby remanded to the District Court of the United States for the District

of California for further proceedings to be had therein in conformity to law and justice this said appeal notwithstanding.-

per Mr Chief Justice Chase.

The State of Texas
Complainant.
6-Orig'l — vs.
George W. White et al.

On the motion of Mr Evarts it is now here ordered by the Court that the motion in this cause, be, and the same is hereby set down for argument on next Friday week the fifth of November.

The Aetna Insce Co
Plaintiff in Error
344 vs.
Charles C. Howe et al-

Mr Hughes of counsel for the defendant in error filed motion to dismiss this cause.

John Maguire Plaintiff in Error vs. Mary S. Tyler et ab.	The argument of the motion to modify the judgment of this Court

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entered in this cause, was commenced by Mr S. Phillips, in support of the same and continued by Mr Carlisle and Mr Ewing in opposition thereto.

Proclamation being made the Court is adjourned until Monday morning next at eleven o'clock.

Monday October 25th 1869.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase, Chief Justice.

Samuel Nelson
Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
} Associate Justices.

Richard C. Parsons, Esquire, Marshal.
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr J. Hubley Ashton it is ordered that William D. Baldwin Esquire of Washington City D.C. be admitted to practice as an attorney & Counsellor of this Court, and he was sworn accordingly.

128.	Moses Waring Plaintiff in Error, vs. The Mayor &c Common Council of the City of Mobile - Jones McMillon Mayor, and John Partlan Tax Collector	In error to the Supreme Court of the State of Alabama

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Alabama, and was argued by counsel On consideration whereof, it is now here ordered adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

per Mr Justice Clifford.

140	Dora B. Morey, William C. Smith & Francis S. Richardson vs. Mobile and Hamilton & Lockwood.	Appeal from the Cir. Court

Monday October 25th 1869 Continued.

Court of the United States, for the District of Massachusetts.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and was argued by Counsel. On consideration whereof, it is now here ordered adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause, be, and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar decrees bear in the Courts of the State of Massachusetts.

Per Mr Justice Nelson.

Ex parte. Edward M. Yerger — Petitioner — Petition for Habeas Cor.

17. Original — fus and Certiorari.

Mr Chief

Justice Chase delivered the opinion of the Court sustaining the jurisdiction of this Court to issue the writ of Habeas Corpus as prayed for by petitioner.

Dissenting:
Mr Justice Miller

The Burlington & Missouri River Railroad Company. Plaintiffs in Error, vs. Mills County - Iowa	On the motion of Mr Rorer of counsel for

150

the plaintiff in error and consent of Mr Ewing of counsel for the defendant in error, it is now here ordered by the Court that this cause be, and the same is hereby continued to the next term of this Court.

Monday, October 25th 1869 continued-

John Maguire Plaintiff in Error vs. Mary L Tyler et al-	The argument of the motion to modify the judgment of this Court

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in this cause, was concluded by Mr B. R. Curtis in favor of the same-

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Robert Tillotson Plaintiff in Error vs. Emilie De la Ronde widow &c.	The argument of this cause was continued by Mr Evarts of counsel for the defendant in Error.

175

Proclamation being made the Court is adjourned until to-morrow morning at eleven o'clock.

Tuesday October 26th 1869.

Pursuant to adjournment the Court met this morning at the Capitol -

Present

The Honorable Salmon P. Chase, Chief Justice,

Samuel Nelson
Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
} Associate Justices

Richard C. Parsons Esquire, Marshal -
Daniel Wesley Middleton, Clerk -

Proclamation being made, the Court is opened.

Robert Patterson
Plaintiff in Error
vs
Emilie De la Ronde
widow &c.

1865

The argument of this cause was continued by Mr Evarts of Counsel for the plaintiff in error, and concluded by Mr Durant of Counsel for the defendant in error -

Friday October 26th 1849 Continued.

158. The Materials of the "Comanche" P. Douchuchal - Saimards. Appellants, vs. The Coast Wrecking Company of New York.

The argument of this cause was commenced by Mr. E. Hand of counsel for the appellants, and continued by Mr Casserly of counsel for the appellees

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17 Ex parte Edward M. Yerger - Special - Petitioner.

Mr Phillips, stated to the Court that an account of an arrangement in progress between the Attorney General and the Counsel of petitioner no motion will be made this morning for further proceedings but if there be no objection on the part of the Court, Counsel will postpone moving until a subsequent day of the term.

The Chief Justice said, It is undoubtedly matter of cus-

ation with the Counsel for the petitioner when to move for the writ of Habeas Corpus. The point of jurisdiction having been determined, the Court will hear a motion for the writ whenever Counsel shall see fit to make it.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Wednesday October 27th 1869

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase, Chief Justice.

Samuel Nelson
Robert C. Grier
Nathan Clifford
Noah H. Swayne
David Davis
Stephen J. Field
} Associate Justices

Richard C. Parsons Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

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154. William Aldrich et al. Plaintiffs in Error vs. The Aetna Ins. Co. | On the application of Mr John Jameson, it is now here ordered by the Court, that leave be, and the same is hereby granted him to file a printed brief or argument in this cause, in behalf

of the defendant in error, on or before the 8th day of November next.

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158 The Materials of the Cincinnati Southern Railroad Company, Appellants vs The Coast Wrecking Co. of New York.

The argument of this Cause was continued by Mr Causey of Counsel for the Appellee, and by Mr Ward of Counsel for the appellant.

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176 Steendam Brothers, Plaintiffs in error vs Edward J. Gay.

This Cause was submitted to the consideration of the Court on the record and printed argument by Mr Dument of Counsel for the plaintiffs in error, and by Mr Janin of Counsel for the defendant in error.

Wednesday, October 27th 1869. Continued.

1797

The Steamer "Carroll" The Baltimore Ohio Railroad Company. Claimants Appellants vs: John M. Greer. -

The argument of this cause was commenced by Mr Sartorius of Counsel for the Appellant, and Continued by Mr Schley of counsel for the appellee.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

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of the defendant in error, on or before the 8th day of November next.

The Materials of the Cargo on board the Libelled Claimants - Appellants

158

vs

The Coast Wrecking Co. of New York -

The argument of this Cause was continued by Mr Causey of Counsel for the Appellee, and by Mr Ward of Counsel for the appellant.

Standing Brothers. Plaintiffs in error.

176

vs

Edward J. Gay

This Cause was submitted to the consideration of the Court on the record and printed argument by Mr Dunnet of Counsel for the plaintiffs in error, and by Mr Janin of Counsel for the defendant in error.

Wednesday, October 27th 1869. Continued.

1797

The Steamer "Carroll" The Baltimore & Ohio Railroad Company. Claimants Appellants vs: John M. Greer. -

The argument of this cause was commenced by Mr Satterlee of Counsel for the Appellant, and continued by Mr Schley of counsel for the appellee.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Thursday October 28th 1869.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase Chief Justice
Samuel Nelson
Robert C Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
Associate Justices.

Richard C Parsons Esquire Marshal
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

The Steamer "Carroll" The Baltimore and Ohio R.R. Company Claimants
vs.
Appellants
John M. Green
1867

The argument of this cause was continued by Mr W. S. Yates of counsel for the appellee, and concluded by Mr Latrobe of counsel

Thursday October 28th 1869 continued.

for the appellant.

1798 Henry W. Drakely et al Plaintiffs in error vs. Richard Gregg et al. | The argument of this cause was commenced by Mr Latrobe of counsel for the plaintiff in error and continued by Mr J. H. Thomas of counsel for the defendant in error.

Proclamation being made the Court is adjourned until to-morrow morning at eleven o'clock.

Friday October 29th 1869.

Pursuant to adjournment the court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase, Chief Justice.

Samuel Nelson
Robert C Grier
Nathan Clifford
Noah H Swayne
Samuel F. Miller
David Davis and
Stephen J Field.

} Associate Justices.

Richard C Parsons Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr C F. Peck, it is ordered that Henry Myers Esquire of Covington State of Kentucky be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

Friday October 29th 1869 continued

Alex.r Y. P. Garnett claimant of certain real estate.
Plaintiff in Error,
vs.
The United States

Mr Cushing of counsel for the plaintiff in error having filed and read in open

692.

court a suggestion of diminution of the record in this case in the words and figures following to wit:

"That the assignment and specification of errors pursued and filed in the Court below, is not contained in the transcript filed in this Court"

By reason of which omission and error aforesaid, the said Counsel now here moved the Court to award a writ of certiorari to be directed to the Judges of the Supreme Court of the District of Columbia Commanding them that searching the records and proceedings of said Court in this cause they

they shall certify to this court under the seal of the said Supreme Court, whatever omissions and errors shall be found - On consideration whereof, it is now here ordered and adjudged by this court, that a writ of certiorari be, and the same is hereby awarded, to be issued forthwith and to be directed to the Judges of the said Supreme Court, commanding them that searching the records and proceedings aforesaid, they forthwith certify to this court under the seal of the said Supreme Court whatever omissions and errors shall be found in this cause and return the same with the said writ of certiorari forthwith to this court -

Per Mr Chief Jus. Chase -

Alex.r G. P. Gunnell, Claimant of certain Personal property.

243 vs. Plaintiff in Error

The United States

Mr Cushing of Counsel for the plaintiff in error

having filed and read in open court a suggestion of a diminution of the record in this case, in the words and figures following to wit:

"That the assignment and specification of errors presented and filed in the Court below, is not contained in the transcript filed in this Court."

By reason of which omission and errors aforesaid, the said Counsel now here moved the Court to award a writ of certiorari to be directed to the Judges of the Supreme Court of the District of Columbia commanding them that searching the records and proceedings of said Court in this cause they shall certify to this court, under the seal of the said Supreme Court whatever omissions and errors shall be found. On consideration whereof, it is now here ordered and adjudged

by this Court, that a writ of certiorari be, and the same is hereby awarded to be issued forthwith and to be directed to the Judges of the said Supreme Court commanding them that searching the records and proceedings aforesaid, forthwith certify to this Court under the seal of the said Supreme Court whatever omissions and errors shall be found in this cause, and return the same with the said writ of certiorari forthwith to this Court.

Per Mr Chief Justice Chase.

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154 The American Wood Paper Company. Appellant vs. Jacob D. Heft et al.

The argument of the motion for leave to N. B. Meach to intervene in this cause, and to dismiss this appeal, was commenced by Mr B. F. Butler in favor of the same, continued by Mr Jenckes

in opposition thereto, and concluded by Mr Sutler in favor of the motion. Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

The State of Texas Complainant	On the motion of Mr Paschal, it is now here ordered by
2 Original. - vs.	
Geo. Sealy & al,	

the Court that subpoena issue to the defendants as prayed returnable on the first Monday of December next, and that the motion for preliminary injunction be And the same is hereby set down for argument on the first Friday in February 1870

Henry W. Dunkley dec'd	Argument of this
178 vs Plaintiffs in Error	Cause was continued
Richard Grigg et al	by Mr Steele of counsel for the defts. in error.

Proclamation being made the Court is adjourned until Monday morning next at eleven o'clock.

Monday November 1st 1869.

Pursuant to adjournment the Court met this morning at the Capitol.

Present,

The Honorable Salmon P. Chase, Chief Justice.

Samuel Nelson
Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis and
Stephen J. Field.

} Associate Justices

Richard C. Parsons Esquire Marshal
Daniel Wiley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr James M. Carlisle it is ordered that Oliver P. Sansum Esquire of Chicago, State of Illinois be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

139.	Samuel D. Tyler Plaintiff in Error vs. The Commonwealth of Virginia.	In error to the Supreme Court of Appeals of the Com- monwealth of Virginia.

This cause came on to be heard on the transcript of the record from the Supreme Court of Appeals of the Commonwealth of Virginia and was argued by Counsel, On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court of Appeals in this cause be, and the same is hereby affirmed, with costs.

per Mr Justice Field.

106	Herman Green & Co. Plaintiffs in Error vs. P. L. Nichol, Clerk of Davidson County Court.	In error to the Su- preme Court of the State of Tennes- see.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Tennessee, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby reversed with costs, and that this cause be, and the same is hereby remanded to the said Supreme Court with directions to enter a judgment awarding the writ of Mandamus.

Per Mr Justice Davis.

Allison Nailor Plaintiff in Error vs: Violet A. Williams admx. of Williams H. Williams (deceased)	In error to the Supreme Court of the District of Columbia.

15

This cause came on to be heard

on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be and the same is hereby affirmed with costs.

per Mr Justice Miller.

Jeremiah Clark, Samuel D. Dew and Elmida Clark. Appellants vs. William S. Reyburn

120

Appeal from the Circuit Court of the United States for the District of Kansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Kansas, and was argued by counsel. On consideration whereof, it is now here

ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs, and that this cause be, and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity to the opinion of this Court. Per Mr Justice Swayne.

170

The President Managers and Company of the Delaware & Hudson Canal Company. Plaintiffs in Error v. The Pennsylvania Coal Company. of New York

In error to the Circuit Court of the United States for the South-ern Dis-trict

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States

for the Southern District of New York, and was argued by Counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this Cause be, and the same is hereby affirmed with Costs.

per Mr Justice Clifford

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156. Josiah M. Mills and Nora M. Mills his wife. Plaintiffs in Error vs. Nathaniel Smith | In error to the Circuit Court of the United States, for the Northern District of Illinois.

This Cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois and was argued by Counsel. On consideration whereof, it is now here ordered

and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs. Per Mr Justice Grier.

The Brig "James E Engle" Michael B. Kain Claimant Appellant. vs. William F. Frazer owner of the Brig "General Worth"	Appeal from the Circuit Court of the United States for the Eastern District of Michigan.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Michigan and was argued by Counsel. On consideration whereof, it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs, and interest until

paid at the same rate per annum that similar decrees bear in the Courts of the State of Michigan.

per Mr Justice Nelson.

Jack Thorrington
Appellant
vs:
William B. Smyth, and John A. Hartley.

Appeal from the District Court of the United States for the Middle District of Alabama.

112

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Middle District of Alabama, and was argued by Counsel. On consideration whereof, it is now here ordered adjudged and decreed by this Court, that the decree of the said District Court in this cause be, and the same is hereby reversed with costs, and that this cause be, and the same is hereby remanded.

in the said District Court with directions to enter a decree in conformity with the opinion of this Court. Per Mr Chief Justice Chase.

Lord W. Dean Appellant. vs. Robert D. Avery, Adm'r. of Wm H. Towell, deceased,	Appeal from the District Court of the United States for the Northern District of Georgia.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of Georgia, and was argued by Counsel, On consideration whereof, it is now here ordered adjudged and decreed by this Court that the decree of the said District Court in this cause, be, and the same is hereby affirmed with costs-

per Mr Chief Justice Chase.

Henry Douglass Plaintiff in Error vs: William Douglass admr of John Douglass.	In error to the Supreme Court of the District of Columbia.

174

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia and was argued by counsel. On consideration whereof, the court being equally divided in opinion it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs. Syad Wilde concurred

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Henry W. Smalley et al. Plaintiffs in Error, vs: Richard Gregg et al	The argument of this cause was continued by Mr. Scott for the defendants in error & by Mr. J. A. Steele of counsel for the pltffs in error

178.

Proclamation being made the court is ad-

Friday January 2nd 1869.

Pursuant to adjournment the court met this morning at the Capitol.

Present.

The Honorable Salmon P Chase, Chief Justice

Samuel Nelson
Robert C Grier
Nathan Clifford
Noah H Swayne
Samuel F Miller
David Davis
Stephen J Field

} Associate Justices

Richard C Parsons Esquire Marshal.
Daniel Wesley Middleton, Clerk.

Proclamation being made the court is opened.

On motion first made to the court in this behalf by Mr Assistant Attorney General Pickey, it is ordered that George W. Conn Esquire of Monroe, State of Louisiana be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

Tuesday December 2nd 1862 Continued.

178. Henry W. Dudley et al Plaintiffs in Error. vs. Richard Gregg et al. | The argument of this cause was concluded by Mr Steele of counsel for the plaintiffs in error.

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179 The Bank "Grapeshot" Hugo Law Claimant Appellant vs. Wallerstein Musser & Co. | The argument of this cause was commenced by Mr Cushing of Counsel for the appellant, and continued by Mr Durant of counsel for the appellees.

Proclamation being made the court is adjourned until tomorrow morning at eleven o'clock.

Wednesday November 3rd. 1869.

Pursuant to adjournment the Court met this morning at the Capitol -

Present.

The Honorable Salmon P. Chase, Chief Justice.

Samuel Nelson
Robert C Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field

} Associate Justices.

Richard C Parsons Esquire Marshal.
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Caleb Cushing, it is ordered that George Burgess Esquire of Washington City District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the court in this behalf by Mr P. Phillips, it is ordered that Backus W. Huntington Esquire of New York City, State of New York, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

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On motion first made to the court in this behalf by Mr G. T. Sick, it is ordered that Reuben Arnold Esquire of Atlanta State of Georgia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

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The Rock "Grapeshot" &c Law. Claimant Appellant
v.s
Wallerstein Marsett & Co.

The argument of this Cause was concluded by Mr Cushing of Counsel for the Appellant

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The Burlington and Missouri River Railroad Company.
Plaintiff in Error
181 vs.
Jefferson County Iowa.

This cause was submitted to the consideration of the Court on the record and printed argument by Mr. Rowe of counsel for the plaintiff in error, and by Mr Harvey of counsel for the defendant in error.

C. K. Yerkes
Plaintiff in error.
182 vs.
William Martin

This cause was argued by Mr J. M. Vanbatt of counsel for the defendant in error, and submitted on printed argument by Mr S. McNeal of counsel for the plaintiff in error.

The City of Chicago
Appellant
183 vs.
Samuel Nicholson.

Ordered by the Court that this cause be, and the same is hereby continu-

and to the next term of this Court, as per Stipulation of Counsel on file

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	William A. Dalton Plaintiff in Error, vs. John G. Schmidt et al	Ordered by the Court that this cause be and the same is hereby passed for the present.

87	The United States U.S. Appellant John E. Reside and John E. Reside U.S. Appellant	The argument of these cases was commenced by Mr J. D. Fuller of Counsel for Reside continued by the Asst Atty Genl Dickey of Counsel for the U.S. & concluded by Mr Carlisle of Counsel for Reside.
88.	The United States.	

89	The U.S. Appellant vs. J. Smith Speed. and The United States vs. Appellant	The argument of these cases was commenced by Mr Asst Atty Genl Dickey of Counsel for the Appts.
95	Robert Floyd.	

Proclamation being made the Court is adjourned until tomorrow morning

The Burlington and Missouri River Railroad Company.
Plaintiff in Error
181 vs.
Tamar County Iowa.

This cause was submitted to the consideration of the Court on the record and printed argument by Mr Rowe of counsel for the plaintiff in error, and by Mr Harvey of counsel for the defendant in error.

C. K. Young & Sons
Plaintiff in error.
182 vs.
William Martin

This cause was argued by Mr J. M. Vanbatt of counsel for the defendant in error, and submitted on printed argument by Mr S. DeWolf of counsel for the plaintiff in error.

The City of Chicago
Appellant
183 vs.
Samuel Nicholson

Ordered by the Court that this cause be, and the same is hereby continued

ued to the next term of this court, -
as per Stipulation of counsel on
file

William K Fulton Plaintiff in Error, vs. John G. Schuck et al	Ordered by the Court that this cause be and the same is hereby dis- missed for the present. -

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The United States vs. Appellant John C. Reside and John C Reside vs. Appellant The United States.	The argument of these causes was commenced by Mr S. F. Phillips of counsel for Re- side continued by the Asst. Atty. Genl Dickey of counsel for the U.S. & concluded by Mr Carlisle of counsel for Reside.

The U.S. Appellant vs. J. Smith Speed. and The United States vs. Appellant Robert Hoyd.	The argument of these causes was commenced by the Asst. Atty Genl Dickey of Counsel for the Appls.

Proclamation being made the court is ad-
journed until tomorrow morning at ten o'clock

Thursday November 11th 1869.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase Chief Justice.

Samuel Nelson
Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis and
Stephen J. Field

Associate Justices.

Richard C. Parsons Esquire Marshal
Daniel Henry Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by the Assistant Attorney General Dickey. It is ordered that Stanley Matthews Esquire of Cincinnati State of Ohio and C. C. Camp Esquire of Knoxville State of Tennessee be admitted to practice as Attorneys & Counsellors of this Court and they were sworn accordingly.

Thursday November 4th 1869 continued.

The United States Appellants vs. J. Smith Speed and The United States Appellants vs. Robert Boyd.	The argument of these causes continued by Mr Ast, Att. General Dickey of counsel for the appellants, by J. H. C. F. Peck of counsel for the appellees, and concluded by Mr Assistant Attorney General Dickey for the appellants.

The United States Appellants vs. George W. Lane	The argument of this cause was commenced by Mr Assistant Attorney General Dickey of counsel for the appellants, and continued by Mr J. D. Fuller of counsel for the appellee.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Friday December 3rd 1869.

Saturday adjourned the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase Chief Justice
Samuel Nelson
Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
} Associate Justices.

Richard C. Parsons Esquire Marshal.
David Wesley Middleton, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr Akerman Attorney General, Ordered, it is ordered that Henry L. Frick Esquire of Savannah State of Georgia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Friday November 5th 1869 continued

Order of Court.

The Chief Justice announced to the Bar, that on and after Monday next the 8th instant, the Court would meet at twelve o'clock, instead of eleven as heretofore.

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93. William S. Ward Exr. &c. Appellant vs. The United States.

On the motion of Mr T. Ewing Jr. of counsel for the appellants, - it is now here ordered by the Court, that the order of continuance entered in this cause, &c, and the same is hereby discontinued.

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93 William S. Ward. Exr. &c. Appellant vs. The United States

Mr T. Ewing Jr. of counsel for the appellant having filed and read in open court, a suggestion of a diminution of the record in this case in the words

and figures following to wit:
"In the petition in the Court of Claims from which this appeal was taken there was included by express reference and made part thereof a former petition in said cause and the judgment finding decision and report to Congress thereon by said Court of Claims as the same appeared of record in said Court at the date of filing said petition"

By reason of which omissions aforesaid the said Counsel now here moved the Court to award a writ of Certiorari to be directed to the Judges of the Court of Claims commanding them that searching the record and proceedings of said Court in this cause they shall certify to this Court under the seal of the said Court of Claims whatever omissions shall be found. On consideration whereof it is now here ordered adjudged and

decreed by this Court that a writ of certiorari be, and the same is hereby awarded to be issued forthwith and to be directed to the Judges of the said Court of Claims commanding them that searching the record and proceedings aforesaid they forthwith certify to this Court, under the seal of the said Court of Claims whatever omissions shall be found in this cause and return the same with the said writ of certiorari forthwith to this Court.

per Mr Chief Justice Chase.

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224. The Schooner "Lucy &c, William Austin, Claimant. Appellant vs. The United States.

The argument on the motion to dismiss this appeal was commenced by Mr Ashton in support of the same, continued by Mr Durant in opposition thereto, and concluded by Mr Attorney General Hoar

in behalf of the motion- Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises doth time to consider-

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Ex parte Charles H Lanneau jr. administrator Original - Petitioner-

On motion of W. W. Boyce of counsel for the Relator, it is ordered that a Rule on the Hon. George S. Bryan District Judge of the United States for the District of South Carolina, do issue, requiring him to show cause on the first Monday in December next, why a writ of mandamus should not issue commanding him to vacate the orders of supersedeas granted by him in the case of Abel Gunday Plaintiff in Error, vs. Charles H. Lanneau jr. Administrator defendant in Error.

Friday November 5th 1869 Continued.

The State of Texas
Complainant
Original - vs.
George W. Thiele
John Chiles et al.

The application for a rehearing of this cause as to John Chiles was submitted to the consideration of the court on printed argument by Mr Wright in support of the same.

The State of Texas
Complainant,
Original - vs.
George W. Thiele, John Chiles et al.

The argument of the motion for final decree in this cause against Hurdeman & Burch Murray & Co. was commenced by Mr Merrick, in support of the same and continued by Mr Carlisle and Mr Evans in opposition thereto.

Proclamation being made the Court is adjourned until Monday morning next at twelve o'clock.

Monday November 8th 1869

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase Chief Justice

Samuel Nelson
Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
} Associate Justices.

Richard C. Parsons Esquire Marshal
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

The Steamboat "Carroll" The Baltimore and Ohio Railroad Company - Claimant - Appellant
vs.
John M. Green

Appeal from the Circuit Court of the United States for the District of Maryland.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maryland, and was argued by counsel. On consideration whereof, it is now here ordered adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs and interest at the same rate per annum that similar decrees bear in the Courts of the State of Maryland.

per Mr Justice Davis

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129. L. P. Woodruff and G. M. Parker, partners under the name and style of Woodruff & Parker. Plaintiffs in Error. vs. John Pickam Tax Collector of the City of Mobile.

In error to the Supreme Court of the State of Alabama.

Monday November 8th 1869 Continued -

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Alabama, and was argued by Counsel. On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs -

per Mr Justice Miller -

Dissenting:
Mr Justice Nelson.

John H. Hewson
Plaintiff in Error.
vs.
Elisha P. Lott Coll.
of the County of Mobile

In error to the Supreme Court of the State of Alabama.

130

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Alabama and was argued by Counsel On consideration whereof it is

now here ordered adjudged and decreed by this court that the decree of the said Supreme Court in this cause, be, and the same is hereby affirmed with costs.

per Mr Justice Miller.

Dissenting Mr Justice Nelson

George Mullingly Complainant and Appellant vs. J. H. Nye, John C. Hackness, Rebecca Pinckney, U.S. Marshal.

165.

Appeal from the Supreme Court of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia and was argued by Counsel. On consideration whereof, it is now here ordered adjudged and decreed by this Court that the decree of the said Supreme Court

on this cause be and the same is hereby affirmed with costs.

per Mr Justice Swayne.

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154. The American Wood Paper Company. Appellant vs. Jacob D. Hoyt, S. H. Rudolph, & S. H. Dixon. | Appeal from the Circuit Court of the United States for the Eastern District of Pennsylvania

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania and on the motion of Mr B. F. Butler to dismiss this appeal. It is now here ordered and decreed by this Court that this appeal be, and the same is hereby dismissed.

per Mr Justice Nelson.

Monday, November 8th 1869. Continued.

138. The United States, Appellants, vs. Charles D. Gilmore | Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, it is now here ordered adjudged and decreed by this Court that the decree of the said Court of Claims in this cause be, and the same is hereby reversed. And that this cause be, and the same is hereby remanded to the said Court of Claims for further proceedings to be had therein in conformity to the opinion of this Court.

per Mr Chief Justice Chase

	William R. Dutton. Plaintiff in Error,	In error to the Supreme Court of the State of Pennsylvania.
1871.	vs.	
	John G. Pollard, Richard T. Pollard and John G. Bach, Trustees.	

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Pennsylvania. It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

per Mr Chief Justice Chase.

	The United States Appellants,	Appeal from the United States Court of Claims.
1871.	vs.	
	John C. Reside	

This cause came on to be heard on the transcript of the record from the United States Court of Claims.

and was argued by Counsel On consideration whereof, the Court being equally divided in opinion on the question whether the petitioner is entitled to any relief as against the United States - It is now hereordered and decreed by this Court that the decree of the said Court of Claims in this cause be, and the same is hereby affirmed.

By a divided Court.

Wm E Pease Appellant.	Appeal from the United States Court of Claims.
188 vs.	
The United States	

This cause came on to be heard on the transcript of the record from the United States Court of Claims and was argued by counsel On consideration whereof the Court being equally divided in opinion on the question whether the petitioner is entitled to any

Court as against the United States.
It is now here ordered and decreed by this Court, that the decree of the said Court of Claims, in this cause, be, and the same is hereby affirmed.
By a divided Court.

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224 The Schooner Lucy Vidanga, William Austin, Claimant, Appellant, vs: The United States.

Appeal from the Circuit Court of the United States for the Southern District of Florida.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Florida and on the motion of Mr Attorney General Hoar to dismiss this appeal, it is now here ordered and decreed by this Court that this appeal be, and the same is hereby dismissed.
per Mr Chief Justice Chase.

Michael Lynch et al. Plaintiffs in Error; vs. Conrad S. De Krimel et al	On consideration of the motion filed by Mr E. J. Gould of Counsel

305. for the defendant in error to dismiss this writ of Error, it is now here ordered by the Court that said motion be, and the same is hereby denied.

The United States Appellants vs. George W. Lane	The argument of this cause was continued by Mr J. J. L. Fuller of counsel for the appellee and concluded by the Attorney General Hoar of counsel for the appellants.

John Graham Appellant vs The United States.	Ordered by the Court that this cause be, and the same is hereby, continued to the

next term.

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200. The Travellers Insurance Company of Chicago, Plaintiff in Error vs. Isabella Mosley.

The argument of this cause was commenced by Mr Linn-sum of counsel for the plaintiff in error, continued by Mr Peck of counsel for the defendant in error, and concluded by Mr Sansum for the plaintiff in error.

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201. Benjamin Murphy et al. Plaintiffs in Error vs. David Killinger.

This cause was submitted to the consideration of the court on the record and printed argument by Mr Jewett of counsel for the plaintiff in error, and by Mr Gookins and Mr Roberts of counsel for the defendant in error.

Richard C. Gray Appellant 203. vs. The Chicago, Iowa, & Nebraska R. R. Co.	Ordered by the Court that this Cause be, and the same is hereby continued to the next term.

Johannes Jeeker et al. Plffs: in Error 205. vs. Dean Magee, Admr etal to the next term.	Ordered by the Court that this Cause be, and the same is hereby continued

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Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Tuesday November 9th 1869.

Pursuant to adjournment the Court met this morning at the Capitol-

Present.

The Honorable Salmon P. Chase Chief Justice.

Samuel Nelson
Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
} Associate Justices.

Richard C. Parsons Esquire Marshal-
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr R. F. Goodwin it is ordered that Lewis L. Coburn Esquire of Chicago State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the court in this behalf by Mr C. Cushing, it is ordered that G. N. Abel, and N. Perry Junior Esquires of Newark State of New Jersey be admitted to practice as attorneys and counsellors of this court, and they were sworn accordingly.

Samuel Miller Plaintiff in Error. 334. vs. The United States.	Mr Cushing for Mr Wells of counsel for the plaintiff in error suggests the death of Samuel Miller plaintiff in error in this cause and moved the Court for leave to enter the appearance of Nathaniel M. Page, Executor of said Samuel Miller deceased, as plaintiff in error with liberty to prosecute this writ of error. On consideration whereof, it is now here ordered by the court that the appearance of the said Nathaniel M. Page, Executor as aforesaid be entered.

as the plaintiff in error, and that the said executor be, and he is hereby made the plaintiff in error in this cause.

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206. Menzo V. Blanchard et al Plaintiffs in Error vs. Antonie Putman et al.

This cause was argued by Mr S.S. Fisher of counsel for the defendant in error, and submitted on printed argument by Mr G. M. Lee of counsel for the plaintiff in error.

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208. The Prest & Co of the Shoepee Bank, Plaintiff in Error vs. The Seventh National Bank of Philadelphia.

The argument of this cause was commenced by Mr R. F. Dana, Jr. of counsel for the plaintiff in error, and continued by Mr George Putnam Jr. for the defts in error.

Proclamation being made the Court is adjourned until tomorrow morning at ten o'clk.

Wednesday November 17th 1869.

Pursuant to adjournment the court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase Chief Justice,
Samuel Nelson
Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis &
Stephen J. Field,
Associate Justices.

Richard C. Parsons, Esquire Marshal.
Daniel Wesley Middleton, Clerk.

Proclamation being made, the court is opened.

No. 208.

The President &c. of the Pacific Rail Road Co. Plaintiff in Error,
vs.
The Seventh National Bank of Philadelphia.

The argument of this cause was concluded by Mr Dana of counsel for the pff. in error.

Wednesday November 10th 1869. continued.

209. James D Bennett et al Appellants, vs Stiley T. Fowler. | The argument of this cause was commenced by Mr L Coburn of counsel for the appellants, continued by Mr Goodwin of counsel for the appellee, and concluded by Mr Coburn for the appellants.

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210 Jas E Kennedy, Receiver Merchants Nat'l. Bank Appellant vs. Patrick Gibson et al Appellant. | The argument of this cause was commenced by Mr Brent of counsel for the appellant.

Proclamation being made, the court is adjourned until tomorrow morning at twelve o'clock.

Thursday November 11th 1869.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase, Chief Justice,

Samuel Nelson
Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
} Associate Justices.

Richard C. Parsons Esquire Marshal
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon C. Cushing, it is ordered that E. H. Van Ingen, Esquire of New York City, State of New York, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Thursday November 11th 1869 Continued.

	The United States Appellants vs. John E Reeside and John E Reeside Appellant vs. The United States.	On motion of Mr Fuller it is ordered by the court that leave be, and the same is hereby granted the clerk to issue the Mandates in these cases.
187		
188		

	Benjamin H. Cheever Appellant vs. Jesse D. Wilson et al.	On motion of Mr Cushing of counsel for the appellant, and consent of Mr Carlisle for the appellee, it is ordered by the court that this cause be and the same is hereby continued to the next term.
222.		

	James C. Kennedy Receiver Merchants National Bank. Appellant vs. Patrick Gibson et al.	The argument of this cause was continued
210		

by Mr Dunlavon and Mr Steele of Counsel for the appellees, and concluded by Mr Merrick for the appellant.

No 11. Henry Carpenter Plff in Error, vs. James Dedeo Exr &c. | This cause was submitted to the consideration of the Court on the record and printed argument by Mr Garrison of counsel for the plaintiff in Error, and by Mr Gordy of counsel for the defendant in error.

No 212. Horace E. Commit etal Appellants vs The National City Bank of Milwaukee. | Appeal from the Circuit Court of the United States for the District of Wisconsin.

This cause came on to be heard

on the transcript of the record from the Circuit Court of the United States, for the District of Wisconsin and it appearing to the court here that no appearance of counsel has been entered in this cause - it is thereupon pursuant to the 16th rule of this court, now here ordered adjudged and decreed by this court, that this appeal be, and the same is hereby dismissed with costs - And that this cause be and the same is hereby remanded to the said Circuit Court to be proceeded in according to law and justice.

per Mr Chief Justice Chase.

Horace E. Connit and Charles H. Larrabee. Appellants v.s. The National City Bank of Milwaukee	Appeal from the Circuit Court of the United States for the District of Wisconsin.

313

This cause came on to be heard on

Thursday November 11th 1869 Term 16

The transcript of the record from the Circuit Court of the United States for the District of Wisconsin and it appearing to the Court here that no appearance of counsel has been entered in this cause, - it is thereupon pursuant to the 15th rule of this Court, now here ordered adjudged and decreed by this Court, that this appeal, be, and the same is hereby, dismissed with Costs - and that this cause, be, and the same is hereby remanded to the said Circuit Court to be proceeded in according to law and justice.

Per Mr Chief Justice Chase.

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214. The United States Appellants vs. Antonia Rocha et al.

The argument of the motion to dismiss this cause was commenced by Mr Cole in support of the same - continued by Mr Wells and Mr Attorney General Hoar in opposition thereto

and concluded by Mr Cole in favor of the motion.

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214. The United States
Appellants
vs.
Antonio Rocha et al.

On consideration of the motion to dismiss this cause it is now here ordered by the Court that the said motion be, and the same is hereby overruled. And that the cause be continued to the next term. Whereupon Mr Attorney General Hoar gave notice that he should move the Court for a writ of certiorari, &c. &c.

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215. The United States
Plaintiffs in Error.
vs
Charles Moore et al.
Appellants.

The argument of this cause was commenced by Mr Ashton of Counsel for the

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Proclamation being made, the Court is adjourned until tomorrow morning at twelve o'clk.

Friday November 12th 1869.

Pursuant to adjournment the Court met this morning at the Capitol

Present.

The Honorable Salmon P. Chase Chief Justice

Samuel Nelson
Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis and
Stephen J. Field
} Associate Justices

Richard C. Parsons Esquire Marshal.
Daniel Wesley Middleton, Clerk.

Proclamation being made, the Court is opened -

On motion first made to the Court in this behalf by Mr James M. Ashley, it is ordered that Edmund Q. Wood Esquire of Cincinnati State of Ohio be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Platte County Plaintiff in Error vs. Owen Wood	In error to the Circuit Court of the United States for the District of Missouri.

400.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Missouri, and on the motion of Mr Chipman of Counsel for the plaintiff in error, it is now here ordered and adjudged by this Court, that this writ of error be and the same is hereby dismissed with costs.

per Mr Chief Justice Chase.

The State of Texas Complainant vs. George W. White, John White et al.	The argument of the motion for final decree against Hardeman and Birch

Original

Murray and Company, and the application for a rehearing of

This cause filed by Mr Hughes in behalf of Chiles was concluded by Mr Grant in support of the motion for final decree, and in opposition to the application for a rehearing of the cause.- Thereupon this Court not being now fully sufficiently advised of, and concerning what order to render in the premises, took time to consider.

The Steamboat Joseph Johnson Appellant
vs.
240 Irwin McCord et al
and
Irwin McCord et al. Appellants,
vs.
241. The Propeller Wm F. Burden

On motion of Mr Evarts, it is ordered by the Court, that these Causes be and the same are hereby continued to the next term. (per stipulation of counsel on file.)

Friday November 12th 1869 continued.

Andrew Whitely
Plaintiff in Error
520. vs.
William Bomberger,
Collins Wright and
William Walker.

Mr O. E. Wood of counsel for the defendant in error having filed and read in open court the following certificate to wit:

"I, John McLean, Clerk of the Circuit Court of the United States for the 6th Circuit and Southern District of Ohio, do hereby certify that a suit at law, was brought in said court wherein Andrew Whitely was plaintiff, and William Bomberger, Collins Wright, and William Walker, were defendants wherein a judgment founded upon the verdict of a jury, was entered in said court in favor of defendant at the October Term, of said court, A.D. 1867. that in said case a bill of exceptions was taken by plaintiff

to the Charge of said Court given to the jury on the trial of said case. Whereupon a writ of error was issued returnable to the December Term A.D. 1858. which writ of error was duly served on defendants by filing a copy of said writ of error, in the Clerks office of said Court, according to law on 13th day of November A.D. 1857. and bail was duly given whereby said writ operated as a supersedeas that no copy of said Record, has been taken out from said Court. Wherefore none has been lodged in said Supreme Court, of the United States, within the first six days of the December Term thereof for December 1858. by plaintiff according to law, or by plaintiff in error, or appellant.

Seal

In testimony whereof, I have hereunto set my hand and affixed the seal of said Court at Cincinnati

this 19th day of January A.D. 1859.
and in the 83rd year of American
Independence.

Attest:

John McLean. Clerk"

and having stated to the court that
the plaintiff in error had alto-
gether failed to file the record of
said Court in this cause, or in
anyway to prosecute said writ of
error. Now here moved the court
in pursuance of the 9th rule of
this Court, to have this writ of error
docketed and dismissed. On con-
sideration whereof, it is now here
ordered and adjudged by this Court,
that this writ of error from the Cir-
cuit Court of the United States, for
the Southern District of Ohio, be, and
the same is hereby docketed and
dismissed with costs - And that this
cause be, and the same is hereby
remanded to the said Circuit Court
for further proceedings to be had there-
in in conformity to law and justice

the said writ of error notwithstanding.

per Mr Chief Justice Chase.

---

215. The United States. Plaintiffs in Error vs. Charles Hare et al.

The argument of this cause was continued by Mr Ashton of counsel for the plaintiff in error, and by Mr Blair of counsel for the defendant in error.

Proclamation being made the Court is adjourned until Monday morning next at twelve o'clock.

Monday November 15th 1869.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase Chief Justice

Samuel Nelson
Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis and
Stephen J. Field

Associate Justices.

Richard C. Parsons Esquire Marshal
Daniel Kelly Middleton Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr A.G. Riddle, it is ordered that R.D. Mussey Esquire of Washington City District of Columbia be admitted to practice as an Attorney and counsellor of this Court, and he was sworn accordingly.

175.

Robert Sullerson
Plaintiff in Error.
vs.
Emilie De La Ronde,
widow & Executrix of
Pierre Roa, deceased.

In error to the
Circuit Court
of the United
States for the
District of
Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana, and was argued by Counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court, in this cause, be, and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Louisiana -

per Mr Justice Field.

J. R. Young & Sons, Plaintiffs in Error. vs. William Martin.	In error to the Supreme Court of the Territory of Utah.

182

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Utah, and was argued by Counsel. On consideration whereof, it is now here ordered and adjudged by this Court, that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

per Mr Justice Field.

Henry H. Drakely. Aaron Fenton. and Joel Hinman. Plaintiffs in Error vs. Richard Gregg and William T. Hughes.	In error to the Circuit Court of the United States for the District of Maryland.

1178

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maryland, and was argued by counsel On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court, in this cause be, and the same is hereby affirmed with costs. and that this cause be, and the same is hereby remanded to the said Circuit Court with directions to award a venire facias de novo.

Per Mr. Justice Davis.

Hoxie and Brothers Plaintiffs in error. v. Edward J. Gay.	In error to the Circuit Court of the United States for the District of Louisiana.

176

This cause came on to be heard

on the transcript of the record from the Circuit Court of the United States for the District of Louisiana and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this court, that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs. per Mr Justice Miller.

John Maguire Plaintiff in Error vs. 107 Mary S. Tyler et ab.	In error to the Supreme Court of Missouri.

On consideration of the motion filed by Mr J. Phillips to modify the decree of this Court, entered in this cause on a prior day of the present term to wit: the 5th day of April last and of the arguments of counsel thereupon had as well in support of, as against the said motion - it is now here ordered, adjudged,

and decreed by this Court, that the decree of Reversal do stand unchanged. And it is further ordered that so much of said decree as remands this cause to the Supreme Court of Missouri with directions to enter a decree affirming the decree of the St Louis Court of Common Pleas, be, and the same is hereby set aside and modified.

And it is further ordered by the Court, that this cause be, and the same is hereby remanded to the said Supreme Court for further proceedings to be had therein in conformity to the opinion of this Court. (Vide decree of April 5th 1869.)

per Mr Justice Clifford.

The Materials of the "Comanche". T. Donohue et al Claimants. vs. Appellants
158 The Coast Wrecking Company of New York. Appeal from the Circuit Court of the United States for the District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of California, and was argued by counsel. On consideration whereof, it is now here ordered adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar decrees bear in the courts of the State of California.

Per Mr Justice Clifford.

Joshua Barrell.
Appellant
vs.
The Propeller "Mohawk"
The Western Transportation Company.

Appeal from the Circuit Court of the United States for the Northern District of Illinois.

158.

This cause came on to be heard on the transcript of the record from

Monday November 15th 1869 Continued

The Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged and decreed by this Court, that the decree of the said Circuit Court, in this cause be, and the same is hereby affirmed with costs.

per Mr Justice Nelson.

Order

The Chief Justice announced that Thursday next having been designated as a day of Thanksgiving and Prayer, the Court would adjourn on Wednesday the 17th to Monday the 22nd instant; and also announced to the bar that Thursday the 25th would be set apart for motions, and that the Court would adjourn on that day until Monday the 29th instant.

Orrin Kendall Appellant vs. 230. Joseph M. Dake	Mr Goodwin for Mr Study of Counsel suggests the death of Joseph M. Dake

the appellee in this cause and moved the court for leave to enter the appearance of Chauncey Kelmer (administrator of said Joseph M. Dake deceased) as the party appellee in this cause. On consideration whereof, it is now here ordered by the Court that the appearance of Chauncey Kelmer, administrator of the said Joseph M. Dake deceased as aforesaid be, and he is hereby entered as the party appellee in this cause with leave to resist this appeal.

Orrin Kendall Appellant vs. 230. Joseph M. Dake.	Appeal from the Circuit Court of the United States for the North-

ern District of Illinois.

Monday December 15th 1862 Continued.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and on the stipulation of the respective parties on file and motion of Mr. J. A. Jordan, it is now here ordered, adjudged and decreed by this Court that this writ of error be, and the same is hereby dismissed each party paying his own costs

Per Mr Chief Justice Chase.

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215. The United States Plaintiff in Error vs. Charles Hare et al

The argument of this cause was continued by Mr Blair of counsel for the defendant in error, and concluded by Mr Attorney General Hoar of counsel for the plaintiff in error.

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216 Charles Merrill
Plaintiff in Error
vs
The City of Salem
Massachusetts.

In error to the Circuit Court of the United States for the District of

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and on the stipulation of counsel for the respective parties on file. It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court, in this cause, be, and the same is hereby affirmed with costs.

per Mr Chief Justice Chase.

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217 The Mount Vernon & Millwood Bank & Commercial Co. of the City of Washington
Plaintiffs in Error
vs
Charles S. Tennison.

In error to the Supreme Court of the District of Columbia.

Monday November 15th 1869 continued.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia. Whereupon it is now here ordered and adjudged by this Court that this writ of error be and the same is hereby dismissed per Mr Chief Justice Chase.

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214. Francis A. Gibbons, Sur. & S. Appellant
The United States

The argument of this cause was commenced by Mr Reverdy Johnson of counsel for the appellant

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Proclamation being made the Court is adjourned until tomorrow morning at twelve o'clock.

Tuesday November 16th 1869.

Pursuant to adjournment the Court met this morning at the Capitol -

Present.

The Honorable Salmon P. Chase Chief Justice.

Samuel Nelson
Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field.
} Associate Justices.

Richard C. Parsons Esquire Marshal
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

No. 219. Francis N. Gibbons Jr. Appellant vs. The United States.

The argument of this cause was continued by Mr Talbot of counsel for the appellee, and concluded by Mr Merriman of counsel for the appellant.

Sunday November 15th 1859. Continued.

220. Henry Pelham Plaintiff vs David G Rose et al | Mr Carlisle suggests the death of David G. Rose one of the defendants in this cause, and moved the court to have the cause continued to the next term. On consideration whereof, it is now here ordered by the Court that this cause be, and the same is hereby continued to the next term.

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221 Josiah Morris, agent and claimant for the Bank of Louisiana - Appellant vs. The United States | This cause was argued by Mr J. Phillips of counsel for the Appellant and by Mr Attorney General Black of Counsel for the appellee.

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225 William P. Clyde &c vs. Plaintiffs in Error, William L. Turner | Ordered by the Court that this cause

be, and the same is hereby continued to the next term.

Isaac Kempner et al Appellants vs. Charles D. Churchill &c.	This cause was argued by Mr Goodwin of Counsel for the Appellants and submitted on printed argument by Mr R. H. Gillet of counsel for the Appellees.

226.

A. S. Ring et al Libellants Appellants vs. The Proceeds of the sale of the Propeller "Lady Franklin"	This cause was argued by Mr Goodwin of counsel for the appellees and submitted on printed argument by Mr Lee of counsel for the appellants.

227.

The Barque "American Union" Appellant vs. Asa G. Curtis.	Ordered by the Court that this cause

128.

be, and the same is hereby continued to the next term.

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231. The Illinois Central R.R.Co. Plaintiffs in Error
vs
Samuel H. Farrell, and Charles Hornby.

Error to the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois and on the stipulation of Wm Lyford of Counsel for the plaintiffs in error, on file, It is now here ordered and adjudged by this Court, that this writ of error, be, and the same is hereby dismissed, with costs.

per Mr Chief Justice Taney

Tuesday November 16th 1869 Contd.

The Steamboat "M Burns" &c Plaintiff in error, v.s. James F. Reynal &al.	Ordered by the Court that this Cause be.

233.

and the same is hereby continued to the next term.

The Steamboat "M Burns" &c Plaintiff in Error v.s. Thomas Morrison &al.	Ordered by the Court that this Cause be.

234

and the same is hereby continued to the next term.

Whereupon Court is now the Court is adjourned until tomorrow morning at twelve o'clock.

Wednesday November 17th 1869

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase, Chief Justice.

Samuel Nelson
Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
} Associate Justices

Richard C. Parsons Esquire, Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court on this behalf by Mr R. T. Merrick, it is ordered that Duncan S. Walker Esquire of Washington City District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Wednesday December 17th 1809 Contd

On motion first made to the Court on this behalf by Hon Caleb Cushing, it is ordered that William Johnston Esquire of Cincinnati State of Ohio be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

John Maguire Plaintiff in Error vs. Elias & Tyler Hall,	On motion of Mr Cutler, it is now here ordered by the Court that the Clerk have leave to issue the mandate in this case during the present term.

107

Henry S. Dexter Plaintiff in Error vs. Elias R. Hall et al.	Ordered by the Court that this Cause be, and the same is hereby continued to the next term.

236

Wednesday January 17th 1839 Continued.

238. The State of Ohio ex rel Benj. R. Cowen Plaintiff in Error vs James G Wilmore.

In error to the Supreme Court of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and the plaintiff in error having been three times solemnly called by the Marshal to come into Court and prosecute this writ of error, and failing to appear, it is therefore, on the motion of Mr Riddle of counsel for the defendant in error, now here ordered and adjudged by this Court, that this writ of error be, and the same is hereby dismissed with costs.

per Mr Chief Justice Taney.

Wednesday November 17th 1869 cont'd-

The Ship "Star of Hope" Appellant vs. Williams & Orman claimants	On motion of Mr Cushing it is now here ordered by the court that this cause, be, and the same is hereby continued to the next term.
242.	

William B. Knox Plaintiff in Error vs. Rhode I. Lee et al	This cause was argued by Mr Mills of counsel for the defendant in error, and submitted on printed argument by Mr Paschal of counsel for the plaintiff in error.
243.	

John Kimball adm'r &c. Plaintiff in Error vs. John F. Goodrich	On motion of Mr Cushing and consent of Mr Hart, Mr Gerill
249	

field, it is now here ordered by the court, that this cause be, and the same is hereby continued to the

next term.

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950 Francis C. J. Smith
Plaintiff in Error,
vs
Samuel F. B. Morse et al.

On motion of Mr Isaacs, and Consent of Mr French, it is now here ordered by the Court that this cause be, and the same is hereby Continued to the next term.

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951 Asahel Aylesworth
Plaintiff in Error
vs.
R. S. Parker et al.

This cause was submitted to the consideration of the Court on the record and printed argument by Mr McVean and Mr Roach of counsel for the P.E.

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953 Hiram Ramsey, Clk of the Port of New York.
Plaintiff in Error
vs
C. F. Schneider et al

On motion of Mr Nash, Atto Genl Fields and Consent of

Mr Grinnell it is now here ordered by the Court, that this cause be, and the same is hereby continued to the next term.

The Steamer Baltimore
The New York & Washington Steamship Company. Claimants - Appellants.
vs.
James H. Rowland and Benjamin B. Williams, Owners of the Schooner J. M. Wootton.

Ordered by the Court that this cause be and the same is hereby continued to the next term.

254

The Milwaukee and Minnesota Railroad Company.
Appellants
vs
James T. Soutter and Shepherd Knapp survivors &c.

Ordered by the Court that this Cause be, and the same is hereby continued to the next term.

255

Wednesday, November 17th 1869 Continued.

Order

Ordered That all causes hereafter Continued at this time, shall be put at the foot of the Calender of the next term, unless otherwise specially ordered by the Court.

Proclamation being made, the Court is adjourned until Monday morning next at twelve o'clock.

Mr Griswold, it is now hereordered by the Court, that this cause be, and the same is hereby Continued to the next term.

The Steamer "Baltimore" &c. New York & Washington Steamship Company. Claimants - Appellants. vs. James H. Rowland & Benjamin B. Williams. Owners of the Schooner J. M. Hoskins.	Ordered by the Court that this Cause be and the same is hereby Continued to the next term.

2541

The Milwaukee and Minnesota Railroad Company. Appellants vs. James T. Soutter and Shepherd Knapp Executors &c.	Ordered by the Court that this Cause be, and the same is hereby Continued to the next term.

255

Wednesday, November 17th 1869 Continued

Order

Ordered That all causes hereafter Continued at this term, shall be put at the foot of the Calender of the next term, unless otherwise specially ordered by the Court.

Proclamation being made, the Court is adjourned until Monday morning next at twelve o'clock.

Monday November 22nd 1869.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase, Chief Justice.

Samuel Nelson
Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
} Associate Justices.

Richard C. Parsons, Esquire Marshal.
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

The Steamer Baltimore
The New York & Washington
Steamship Company.
Claimants - Appellants.
vs.
James H. Rowland et al.

254

On the motion of Mr Ashton. It is now here ordered by the Court that the order of Continuance

ordered in this cause, be, and the same is hereby stricken out, and leave granted counsel to argue the case at this date.

Richard H. Wade adm'r &c.
Appellants
vs.
The United States.

268

Mr Bradley of counsel for the appellants having filed and read in open court a suggestion of a diminution of the record in this case, in the words and figures following, to wit:

"A statement of the ultimate facts, found by the said Court of Claims, on the hearing of the said cause together with the conclusions of law on said facts on which the said Court founded its judgment thereon"

By reason of which missime aforesaid, the said counsel now here moved the Court

to award a writ of certiorari to be directed to the Judges of the Court of Claims, commanding them that searching the record and proceedings of said Court in this cause, they shall certify to this Court, under the seal of the said Court of Claims whatever omissions shall be found. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court, that a writ of certiorari be, and the same is hereby awarded to be issued forthwith, and to be directed to the Judges of the said Court of Claims, commanding them that searching the record, and proceedings aforesaid, they forthwith certify, to this Court under the seal of the said Court of Claims whatever omissions shall be found in this cause, and return the same, with the said writ of certiorari forthwith to this Court.

per Mr Chief Justice Chase.

Monday November 22nd 1869 continued.

Richard W. Meade adm.rs &c. Appellants
vs.
The United States.

268

On motion of Mr Bradley of counsel for the appellant,

it is now here ordered by the Court that this cause be, and the same is hereby continued to the next term.

Edward McSmithsum Plaintiff in Error.
vs.
The United States.

272

Mr Wells suggests the death of Edward McSmithsum the plaintiff in error in this cause, and having filed letters testamentary appointing Josiah Grant, Joshua Riley, and William Laird, Junior, as Executors of Edward McSmithsum deceased. Now here moved the Court for leave to enter the appearance of the said Executors as the plaintiffs in error in this cause with liberty to prosecute this writ of error. On consideration whereof,

it is now here by the Court, that the appearance of the said Josiah Dent, Joshua Riley, and Willard Laird Junior, Executors as aforesaid be entered as the plaintiffs in error, in this cause, and that the said Executors, be, and they are hereby made the parties plaintiffs in error in this cause with liberty to prosecute this writ of error.

272	Edward M. Smithson Plaintiff in Error vs. Alexander Ray.	On motion of Mr Wells of counsel for the plaintiff in error,

it is now hereordered by the Court, that this cause, be, and the same is hereby continued to the next term.

261.	Henry M. Bennett. Plaintiff in Error vs. Alexander Hunter.	Mr Black and Mr Garfield, filed motion to dismiss the

and of error, in this cause for want of jurisdiction.

The Steamer "Baltimore" Appellant vs. James H. Rowland et al. 254.

The argument of this cause was commenced by Mr Ashton of counsel for the appellant, continued by Mr J. H. Williams of counsel for the appellee, and concluded by Mr Ashton for the appellants.

James Findley, Plaintiff in Error vs. R. S. Hunt et al. 256

The argument of this cause, was commenced by Mr Lucas of counsel for the plaintiff in error, continued by Mr Wells of counsel for the defendants in error, and concluded by Mr Lucas for the plaintiff in error.

258.	Samuel H. Rankin Plaintiff in Error vs. The State of Tennessee.	This cause having been called and no counsel appearing ready to argue the same it is now here ordered by the Court that this cause be, and the same is hereby postponed to the first day of the next Term of December Term 1869.

260.	Henry S. Martin Plaintiff in Error vs Robert Bowers et al.	Ordered by the Court that these causes be, and the same is hereby passed for the present, and that the motion to dismiss in No 261. to be argued on Thursday next.
261.	Henry M. Bennett Plaintiff in Error vs. Alexander Hunter. and Robert Porter et al Plaintiffs in Error.	
262	vs William G. Cazenove.	

263 James Hickman
Plaintiff in Error.
vs.
Edward C Bell et al.

This cause was argued by Mr Reverdy Johnson of Counsel for the plaintiff in error, and submitted on printed argument by Mr R. W. Walker, of Counsel for the defendant in error.

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264 Moses A. Mendenhall.
Appellant.
vs
Charles E Norton.

This cause having been called, and no counsel appearing ready to argue the same, it is now here ordered by the Court that this cause be and the same is hereby postponed to the foot of the docket of this term 1869.

Proclamation being made the Court is adjourned until to-morrow morning at twelve o'clock.

Tuesday November 23rd 1869.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase, Chief Justice.

Associate Justices.

- Samuel Nelson
- Robert C. Grier
- Nathan Clifford
- Noah H. Swayne
- Samuel F. Miller
- David Davis
- Stephen J. Field

Richard C. Parsons, Esquire Marshal.

Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

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265. Matthew Bonner & Co. Appellant vs. The United States

Ordered by the Court that this cause, be and the same is hereby passed until tomorrow.

Tuesday November 23rd 1869 continued.

266 The United States Express Company. Plaintiffs in Error vs. Kountze Brothers. | This cause was argued by Mr Fisher of counsel for the plaintiff in error, - no counsel appearing for the defendant in error.

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267 Mary A. Brobst Plaintiff in error vs. John P. Brock et al. | Ordered by the Court that this cause be, and the same is hereby continued to the next term.

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269 Joseph H. Sinnickson et al Appellants. vs. The United States. | This cause was submitted to the consideration of the court on the record & printed argument, by Mr Merriman of counsel for the appellants, with leave to the Attorney General to file brief tomorrow.

270	Robert Shields et al Appellants vs Aaron Raol.	This cause having been called and no counsel appearing ready to argue the same, it is now here ordered by the Court, that this cause be, and the same is hereby postponed to the foot of the docket of December Term 1869.

271	Olivier Bronson Appellant vs. Stephen Kimpton.	This cause was argued by Mr J. J. Townsend of Counsel for the appellant - No Counsel appearing for the appellee.

Tuesday November 23rd 1869 Continued

273. The Home of the Friendless Plaintiff in Error vs Edward S. Rouse, Collr. and

274. The Washington University Plaintiff in Error vs Edward S. Rouse, Collector

The argument of these cases was continued by Mr S. P. Curtis of Counsel for the plaintiffs in error, - continued by Mr Dick & Mr Blair of Counsel for the defendant in error, and concluded by Mr Curtis for the plaintiff in error.

Proclamation being made the Court is adjourned until to-morrow morning at twelve o'clock.

Wednesday November 24th 1869.

Pursuant to adjournment, the court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase, Chief Justice.

Samuel Nelson
Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
} Associate Justices

Richard C. Parsons Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the court is opened.

The Chief Justice announced to the Bar that the court would adjourn for this term on Saturday the 11th day of December next, and would not hear arguments after Tuesday next, the 30th instant.

Wednesday November 24th 1869 continued.

292 Alex.r Y. P. Garnett
Claimant of certain
Real Estate.
Plaintiff in Error.
vs.
The United States
and
Alex.r Y. P. Garnett,
Claimant of certain
Personal property.
Plaintiff in Error
vs.
293. The United States.

On motion of
Mr Attorney
General Hear.
it is now
here ordered
by the Court
that this cause
be, and the
same are
hereby continu-
ed to the
next term -
and the same
are hereby
set for argument on the last Mon-
day in January.

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275 William Sinton et al
Appellants -
vs.
Joseph Cook.

On the mo-
tion of Mr
P. Phillips
it is now
here ordered
by the court that this cause, &c,
and the same is hereby continued
to the next term.

265.	Matthew Bonner Exr. &c. Appellants. vs. The United States.	On the motion of Mr Attorney General Hoar it is now here ordered by the court that this cause be, and the same is hereby continued to the next term, on account of sickness of counsel for the appellant.

276.	The United States Plaintiffs vs Henry C. Smith & al.	This cause was argued by Mr Assistant Attorney General Field of counsel for the plaintiffs. No counsel appearing for the defendants.

277	Emily J. Tilor et al. admrx &c. of James Tilor. Appellant vs The United States	This cause was argued by Mr Thomas Wilson of counsel for the ap-

pellants. The court declined to hear further argument in the case.

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278. The People's Passenger Railroad Company of Memphis.
Plaintiff in Error
vs.
Mayor and Aldermen of Memphis, and Memphis City Railroad Company.

The argument of this cause was commenced by Mr. McPherson, of counsel for the plaintiff in error and continued by Mr. R. H. Johnson of counsel for the defendant in error.

Proclamation being made the Court is adjourned until tomorrow morning at twelve o'clock.

Monday November 25th 1869.

Pursuant to adjournment the Court met this morning at the Capitol -

Present.

The Honble Salmon P. Chase Chief Justice.

Samuel Nelson.	
Robert C. Grier	
Nathan Clifford,	Associate
Noah H. Swayne	Justices.
Samuel F. Miller	
David Davis and	
Stephen J. Field.	

Richard C. Parsons Esquire Marshal.

Daniel Huntington Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court on this behalf by Hon J. A. Garfield it is ordered that J. Ferguson Beach Esquire of Alexandria State of Virginia be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Thursday, November 25th 1859 continued

William T. Chadwick,
George H. Chadwick and
Charles C. Muller,
Ex'rs of Samuel
Chadwick deceased.
Plaintiffs in Error
vs
Charles Baker.

In error to the
Supreme Ju-
dicial Court
of the State
of Maine.

337

This cause came on to be heard on the transcript of the record from the Supreme Judicial Court of the State of Maine, and on the submission of counsel and motion of Mr Carlisle it is now here ordered and adjudged by this Court, that this writ of error, be, and the same is hereby dismissed, each party paying his own costs.

per Mr Chief Justice Chase.

The Granville Manufacturing Company Plaintiffs in Error vs. Benjamin Roper Tax Collector.	In error to the Court of Errors of the State of South Carolina.

317

This cause came on to be heard on the transcript of the record from the Court of Errors of the State of South Carolina, and on the stipulation of counsel and motion of Mr Boyce, it is now here ordered and adjudged by this Court that this writ of Error be, and the same is hereby dismissed with costs.

per Mr Chief Justice Chase.

The United States Plaintiffs in Error vs. Alfred Huger et al	Mr Assistant Attorney Gen'l Field of Counsel for the plaintiff in error having filed and read in open court

2911

a suggestion of a diminution of the record in this cause, in the words and figures following, to wit:

"That the judgment rendered by the Circuit Court, upon the proceedings in said cause doth not appear therein,"

By reason of which mistrials and errors aforesaid the said Counsel now here moved the Court to award a writ of certiorari, to be directed to the Judges of the Circuit Court of the United States for the District of South Carolina, commanding them that searching the record and proceedings of said Court in this cause, they shall certify to this Court under the seal of the said Circuit Court, what ever mistrials and errors shall be found - On consideration whereof, it is now here ordered and adjudged by this Court that a writ of certiorari be, and the same is hereby awarded to be issued forthwith and to be

directed to the Judges of the said Circuit Court, commanding them that searching the record and proceedings aforesaid, they forthwith certify to this Court under the seal of the said Circuit Court whatever omissions and errors shall be found, in this cause, and return the same with the said writ of certiorari forthwith to this Court. Per Mr Chief Justice Chase.

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290 The United States, Plaintiffs in Error vs. Alfred Huger et al

On the motion of Mr Phillips it is now here ordered by the Court that this cause be, and the same is hereby continued to the next term.

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15 Ex parte, Benjamin C. Zelnes- Original - Petitioner.

Petition for mandamus to the Court of Claims-

On motion of Mr A. G. Riddle of Counsel for the petitioner it is now

here ordered by the Court that a rule issue in this cause to the Judges of the Court of Claims, requiring them to show cause, on the first Monday of December next why a writ of Mandamus should not issue agreeably to the prayer of the petitioner.

Joseph C Willard
Appellant
vs
Henry Willard et al

282

Mr R. T. Merrick of counsel for the appellees having filed and read in open Court, a suggestion of a diminution of the record in this case in the words and figures following to wit:

1st "That all testimony taken in said cause, and of record in the said Supreme Court of the District of Columbia, is omitted from said transcript.

2nd That certain ordinances of the City Council of the Corporation of Washington, used as evidence in said cause and forming part

of the record by agreement of parties in the said Supreme Court of the District of Columbia is omitted from said transcript."

By reason of which omissions aforesaid, the said Cause now here moved the Court to award a writ of certiorari to be directed to the Judges of the Supreme Court of the District of Columbia, commanding them that searching the record and proceedings of said Court in this Cause, they shall certify to this Court under the seal of the said Supreme Court, whatever omissions shall be found. On consideration whereof, it is now here ordered adjudged & decreed by this Court, that a writ of certiorari be, and the same is hereby awarded to be issued forthwith, and to be directed to the Judges of the said Supreme Court, commanding them that searching the record and proceedings aforesaid they forthwith certify to this Court under

the seal of the said Circuit Court, what ever omissions shall be found in this cause, and return the same with the said writ of error forthwith to this court.

per Mr Chief Justice Chase.

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283. Joseph C. Willard Appellant vs George G. Fleshing Jr. James Sykes, and Kirby A. Chadwick.

Mr R. S. Hoar rose of counsel for the appellees having filed and read in open court a suggestion of

a diminution of the record in this case, in the words and figures following to wit:

"1. That certain ordinances of the corporation of Washington, which were used in evidence in the Supreme Court of the District of Columbia, on the trial of said cause, are omitted from said transcript".

By reason of which omis-

said the said Counsel now here moved the Court to award a writ of certiorari to be directed to the Judges of the Supreme Court of the District of Columbia, commanding them that searching the record and proceedings of said Court in this cause, they shall certify to this Court under the seal of the said Supreme Court, whatever omissions shall be found. On consideration whereof it is now here ordered adjudged and decreed by this Court that a writ of certiorari be, and the same is hereby awarded to be issued forthwith and to be directed to the Judges of the said Supreme Court, commanding them that searching the record and proceedings aforesaid, they forthwith certify to this Court, under the seal of the said Supreme Court whatever omissions shall be found in this cause and return the same with the said writ of certiorari forthwith to this

court.

For Mr Chief Justice Chase

The Steamboat "Emilie"
Plaintiff in Error,
291. vs.
Thomas Carney et al.

On motion of Mr Garfield it is now here ordered by the court, that the motion to dismiss this writ of error, filed on this date, be, and the same is hereby set down for argument on the first Friday of the next term.

Henry M Bennett
Plaintiff in Error
61. vs.
Alexander Hunter.

On motion of Mr Garfield, leave granted him to withdraw the motion to dismiss this writ of error filed by Mr Black.

The United States
4 vs Appellants
Theodore Adams

The argument of the motion to amend the

decree and reform the mandate in this cause, was commenced by Mr Wills in support of the same, continued by Mr Attorney General Hoar in opposition thereto, and concluded by Mr B. R. Curtis in favor of the motion.

James Gibbons Admr. Val. Appellants, vs The United States.

277

On motion of Mr Wilson, leave is hereby granted him to file reply brief by Wednesday next.

The Peoples Passenger Railroad Company of Memphis. Plaintiff in Error vs. John Park, Mayor &c. of Memphis.

278

The argument of this cause was commenced by Mr Thomas Wilson of counsel for the defendant in error. and concluded by Mr Carlisle of counsel for the plaintiff in error.

Thursday November 25th 1859. continued.

279. The United States Plaintiffs vs. Henry C. Durell

This cause was argued by Mr Assistant Attorney General Field of counsel for the plaintiffs no counsel appearing for the defendant.

280 Peter Miller Plaintiff in Error vs. Larkin McKinzie et al.

This cause was argued by Mr Thom as Peter of counsel for the plaintiff in error, no counsel appearing for the defendant in error.

Proclamation being made the Court is adjourned until Monday morning next at twelve o'clock.

Monday November 29th 1869.

Pursuant to adjournment the court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase Chief Justice.

Samuel Nelson
Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field.
} Associate Justices.

Richard C. Parsons Esquire Marshal.
David Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the court in this behalf by Mr James M. Carlisle it is ordered that Henry S. Magoon Esquire of Burlington State of Wisconsin, be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr P Phillips, it is ordered that John F. Miller and John Barry Esquires of San Francisco, State of California be admitted to practice as attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr J. W. Denver, it is ordered that James A Johnson Esquire of Downieville State of California, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

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211. Henry Carpenter
Plaintiff in error
vs.
James Porter Ex'r of
John B James, deceased.

In error to the Circuit Court of the United States for the Northern District of New York.

This cause came on to be heard on

the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this court, that the judgment of the said Circuit Court in this cause, be, and the same is hereby affirmed with costs.

Per Mr Justice Field.

The United States
Appellants
vs.
George W. Lane.

Appeal from the Court of Claims.

196.

This cause came on to be heard on the transcript of the record from the United States Court of Claims, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this court, that the decree of the said Court of Claims in this cause, be, and

the same is hereby reversed, - and that this cause be, and the same is hereby remanded to the said Court of Claims with directions to dismiss the petition.

per Mr Justice Davis -

The United States
Appellants
vs.
J. Smith Speed
and David H Davis.

Appeal from the United States Court of Claims.

1869.

This cause came on to be heard on the transcript of the record from the United States Court of Claims, and was argued by counsel - On consideration whereof, it is now here ordered adjudged, and decreed by this Court, that the decree of the said Court of Claims, in this cause, be and the same is hereby affirmed.

per Mr Justice Miller.

The United States. Appellants. vs. Robert Floyd.	Appeal from the United States Court of Claims.

195.

This cause came on to be heard on the transcript of the record from the United States Court of Claims, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged and decreed by this Court, that the decree of the said Court of Claims in this cause, be, and the same is hereby affirmed.

per Mr Justice Miller.

The Travellers Insurance Company of Chicago. Plaintiffs in error, vs. Isabella Morley.	In error to the Circuit Court of the United States, for the Northern District of Illinois.

200

Monday November 29th 1869. continued.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States, for the Northern District of Illinois, and was argued by counsel - On consideration whereof, it is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court, in this cause, be, and the same is hereby affirmed with costs and interest, until paid at the same rate per annum, that similar judgments bear in the Courts of the State of Illinois.

Dissenting: Mr Justice Swayne.
Mr Jus. Clifford

Henry V. Blanchard, John D. Blanchard, & Franklin Blanchard, partners as H. V. Blanchard & Company. Plaintiffs in error

vs.

Antoine Stillman, Conrad Weaver and John Bettinger

In error to the Circuit Court of the United States for the Southern Dis-

trict of Ohio.

This cause came onto be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Ohio, and was argued by counsel - On consideration whereof, it is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court, in this cause be, and the same is hereby, reversed with costs - And that this cause, be, and the same is hereby, remanded to the said Circuit Court with directions to award a venire facias de novo.

Dissenting:
Mr Jus. Swayne

per Mr Justice Clifford -

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208. The President Directors & Company of the Cincinnati Bank, Plaintiffs in error vs The Seventh National Bank of Philadelphia -

In error to the Circuit Court of the United States for the

Monday November 29th 1869. Continued

District of Massachusetts -

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court, in this cause, be, and the same is hereby affirmed with costs, and interest until paid, at the same rate per annum, that similar judgments bear in the courts of the State of Massachusetts.

per Mr Justice Nelson.

James D. Bennett, and Seth Turner. Appellants. vs Elmer E. Fowler. of Illinois.

Appeal from the Circuit Court of the United States for the Northern District.

1869

Monday November 29th 1869. Cont'd.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois and was argued by counsel - On consideration whereof, it is now here ordered adjudged and decreed by this Court, that the decree of the said Circuit Court, in this cause, be and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar decrees bear in the Courts of the State of Illinois.

Per Mr Justice Nelson.

Oliver Dixon Plaintiff in Error vs. Stephen Kimpton.	In error to the Court of Appeals of the State of New York.

271.

This cause came onto be heard on the transcript of the record from the Court of Appeals of the State

of New York, and was argued by coun
sel. On consideration whereof it is
now here ordered and adjudged
by this Court that the judgment
of the said Court of Appeals in
this cause be, and the same
is hereby reversed with costs.
And that this cause be, and the
same is hereby remanded to the
said Court of Appeals, for further
proceedings to be had therein in
conformity with the opinion of
this Court.

per The Chief Justice Chase

The State of Texas
Complainant
6 original - vs.
Geo. W. White, John
Chiles, John H.
Hardenbergh, Nelson
J. Birch Byron Murray rectors

Bill
in
Equity.

This cause coming up to be further
heard on questions reserved in and

by the decree formerly made and these questions having been argued by Counsel, and fully Considered by the Court it is now found & declared that the thirty-four bonds commonly called indemnity bonds, and one hundred and seventy coupons transferred to White and Chiles under their Contract with the Military Board of Texas, and presented for redemption at the Treasury Department by the defendant Hardenbergh, were in fact the property of the Complainant, the State of Texas: and it is further found and declared that the bonds commonly known as five twenty, amounting at their face value to fifty thousand thousand dollars, deposited by the defendant Hardenbergh with R. W. Taylor are liable in equity to the said Complainant State to the extent of the value of the indemnity bonds originally presented for payment by said defendant, which value is found to have been thirty eight thousand

two hundred and fifty dollars in cash. And therefore it is ordered adjudged & decreed that the said R. W. Taylor who is appointed a special master for this purpose, proceed to sell so many of said five twenty bonds as may be necessary to produce the said sum of thirty eight thousand two hundred and fifty dollars together with one fourth of one per cent as his commission, and one fourth the costs of this suit, and that retaining the said commission for his compensation he pay the fourth of the said costs to the Clerk of this court and the said principal sum to the complainant, or to her lawful agent, and that he deliver the residue of said bonds or proceeds to the said defendant Hardenbergh. And report his proceedings herein within ten days from the first day of the next term of this court.

And it further appearing to the Court that no allegation is made by the complainants bill of any

interest in the State of Texas in the four bonds in respect to which further hearing was allowed to Weston F. Rich and Byron Murray. It is ordered that the bill of the Complainant as to the said bonds namely Numbers 1897 - 1898 - 4914 - and 4915. be dismissed. And for the coming in of the Masters report, and order thereon this cause is continued.

per Mr Chief Justice Chase

B. L. Ridley
Plaintiff in Error
vs
Freeman Shelmot

106

Mr Maynard of counsel for the defendant in error, suggested the death of B. L. Ridley the plaintiff in error in this cause.

The Steamer Star & Stripes
Thomas B Mellon claimant
Appellant
vs
Erwin N. Howe et al.

249

Appeal from the Circuit Court of the United States for the Eastern District

of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania, and on the motion of Mr Carlisle in behalf of Mr Henry of counsel for the appellant, it is now here ordered, adjudged and decreed by this court that this appeal be, and the same is hereby dismissed with costs.

per Mr Chief Justice Chase.

The Tug "Jas E. Eagle" M. B. Kean, Claimant Appellant vs William F. Frazer, owner of Brig. "Genl Worth"	On motion of Mr Carlisle, leave granted the Clerk to issue the mandate in this cause.
152	

Henry S. Martin Plaintiff in error vs. Robert Beverley et al	This cause having been called, and no counsel appearing ready
360	

to argue the same, it is now here ordered by the Court, that this cause be, and the same is hereby postponed to the fool of the docket of December Term 1869.

Henry M. Bennett Plaintiff in error 261. vs. Alexander Hunter.	Ordered by the Court that this cause be, and the same is hereby continued to the next term.

Robert Portmedal Plaintiff in error 262. vs. William G. Cazenove.	This cause having been called, and no Counsel appearing ready to argue the same. it is now here ordered by the Court that this cause be, and the same is hereby postponed to the fool of the docket of December Term 1869.

282.	Joseph C. Willard Appellant. vs. Henry A. Willard Jnr.	Ordered by the Court that this cause be, and the same is hereby continued

to the next term.

283.	Joseph C. Willard Appellant vs. George G. Fabius Jr. et al.	Ordered by the Court that this cause, be, and the same is hereby continued

to the next term.

	Richard N. Mayson Plaintiff in error vs. Samuel H. Scales	The argument of this cause was commenced by Mr Mayson of Counsel

for the Plaintiff in error.

Proclamation being made the Court is adjourned until tomorrow morning at twelve oclock.

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to argue the same, it is now here ordered by the Court, that this cause be, and the same is hereby postponed to the foot of the docket of December Term 1869.

	Henry M. Pennell Plaintiff in error	Ordered by the Court that this cause be, and the same is hereby con-
261.	vs.	
	Alexander Hunter.	

tinued to the next term.

	Robert Portner et al Plaintiffs in error	This cause having been called, and
262.	vs.	
	William G. Cazenove.	no counsel appearing

ready to argue the same. it is now here ordered by the Court that this cause be, and the same is hereby postponed to the foot of the docket of December Term 1869.

282.	Joseph C. Willard Appellant, vs. Henry A. Willard Jnr.	Ordered by the Court that this cause be, and the same is hereby continued

to the next term.

283.	Joseph C. Willard Appellant vs. George G. Rodney Jr. & al.	Ordered by the Court that this cause, be, and the same is hereby Continued

to the next term.

	Richard H. Magoon Plaintiff in error vs. Samuel H. Scales	The argument of this cause was commenced by Mr Magoon of Counsel

for the plaintiff in error.

Proclamation being made the Court is adjourned until tomorrow morning at twelve o'clock.

Tuesday November 30th 1869.

Pursuant to adjournment the court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase Chief Justice.

Samuel Nelson
Robert C. Grier
Nathan Clifford — Associate
Noah H. Swayne — Justices
Samuel F. Miller
David Davis
Stephen J. Field

Richard C. Parsons Esquire Marshal.
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr R. M. Corwine, it is ordered that William P. Mellen Esquire of New York City be admitted to practice as an attorney and counsellor of this court, and he came sworn accordingly.

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206. Monze V. Blanchard & al. Plaintiffs in error vs. Antonie Pullman & al. | Mr Fisher of counsel for the defendants in error,

filed motion to vacate the judgment and award a writ of certiorari, in this cause, - Whereupon this Court not being now here sufficiently advised of, and concurring what order to render in the premises.

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138. The United States Appellants. vs Charles D. Gilmore | Mr Chipman of counsel for the appellee filed motion to withhold the mandate, and vacate the decree in this cause. Whereupon this Court not being now here sufficiently advised of, and concurring what order to render in the premises took time to consider.

Tuesday, December 14th 1869 Continued.

Richard H. Magoon Plaintiff in error vs. Samuel H. Scales.	The argument of this cause was continued by Mr Magoon of counsel for the plaintiff in error, - by Mr Carpenter of Counsel for the defendant in error, and concluded by Mr Carlisle of counsel for the plaintiff in error.

284.

Robert South et al. Plaintiff in error vs. William H. Elsie and Seth H. Mumford. Appellants. vs. The Rock Island Bank.	These causes having been called, and no counsel appearing ready to argue the same - it is now here ordered by the Court that these causes lie, and the same are hereby postponed to the foot of the docket of December Term 1869.

285.

286

Thursday November 30th 1865 continued

287. The U.S. use Thomas Pultz. vs. Plaintiff in error. The Mayor &c of the City of Muscatine.

288. The U.S. use Henry Amy. vs. Plaintiff in error The Mayor &c. of the City of Burlington.

and.

289. The U.S. use Edward H. Sanford. vs. Plaintiff in error The Mayor &c of the City of Burlington.

These causes argued by Mr Grant of counsel for the plaintiff in error no counsel appearing for the defendants in error.

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291. The Steamboat Emilie Plaintiff in error vs. Thomas Carney et al.

Ordered by the court that this cause be, and the same is hereby continued to the next term.

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295. J. Hornthall et al. vs. Appellants. M. Keary, Collr of Int. Rev.

This cause was submitted to the

Tuesday, December 14th 1869 Continued.

Richard H. Magoon Plaintiff in error vs. 284. Samuel H. Scales.	The argument of this cause was continued by Mr Magoon of counsel for the plaintiff in error, - by Mr Carpenter of Counsel for the defendant in error, and concluded by Mr Carlisle of counsel for the plaintiff in error.

Robert Swith et al. Plaintiff in error 285. vs. William H. Clise and Seth H. Mann et al. Appellants. 286 vs. The Rock Island Bank.	These causes having been called, and no counsel appearing ready to argue the same - it is now here ordered by the Court that these causes be, and the same are hereby postponed to the foot of the docket of December Term 1869.

Thursday November 30th 1869 continued

The U.S. use of Thomas Seltz. vs. Plaintiff in error. The Mayor &c of the City of Muscatine.	These causes argued by Mr Grant of counsel for the plaintiff in error no counsel appearing for the defendants in error.
287.	
The U.S. use of Henry Amy. vs. Plaintiff in error The Mayor &c. of the City of Burlington.	
288	
and.	
The U.S. use of Edmund H. Sanford. vs. Plaintiff in error The Mayor &c of the City of Burlington.	
289	

The Steamboat Emilie Plaintiff in error vs. Thomas Carney et al.	Ordered by the court that this cause be, and the same is hereby continued to the next term.
291.	

J. Hornthall et al. vs. Appellants. M. Keary, Coll of Int. Rev.	This cause was submitted to the
95.	

consideration of the court on the record and printed argument by Mr Attorney General Hoar, and Mr Assistant Attorney General Field of counsel for the appellee. No counsel appearing for the appellants.

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296 The Steamtug "Admiral Farragut" Appellant vs. The Barge "L. Newman"

This cause having been called and no counsel appearing ready to argue the same, it is now here ordered by the court that this cause be, and the same is hereby postponed to the foot of the docket of December Term 1869.

Mintze & Shanchard et al. Plaintiffs in Error vs Antoine Pullman & al

On consideration of the motion filed by Mr Fisher at this date to vacate the judgment

and issued a writ of certiorari in this cause - it is now here ordered by the Court that said motion be, and the same is hereby overruled.

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138. The United States, Appellants vs Charles D. Gilmore

On consideration of the motion filed by Mr Chipman to withhold the mandate, and recall the decree in this cause - it is now here ordered by the Court that said motion be and the same is hereby overruled.

Proclamation being made the Court is adjourned until Saturday next at one o'clock.

Saturday December 4th 1869.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Salmon P. Chase, Chief Justice.

Richard C. Parsons, Esquire, Marshal.

Daniel Henry Middleton. Clerk.

Proclamation being made the Court is opened.

It is now here ordered by the Court that all the cases on the docket not decided, and all the other business of the term not disposed of by the Court, be, and the same are hereby continued over to the next term of this Court.

Proclamation being made the Court is adjourned to the time and place appointed by law.

Minutes
of the
Supreme Court
of the
United States.
December Term
1869.

At the Capitol of the United States in the City of Washington, and District of Columbia, being the present seat of the National Government of the United States, on the first Monday of December (being the ninth day of the same month) in the year of our Lord one thousand eight hundred and sixty-nine, and of the Independence of the United States the ninety fourth, the Supreme Court of the United States met agreeably to law.

Present.

The Honorable Salmon P. Chase, Chief Justice.

Nathan Clifford,
Noah H. Swayne
Samuel F. Miller,
David Davis, and
Stephen J. Field.
} Associate Justices,

Richard C. Parsons, Esquire, Marshal.
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

Monday December 6th 1869. continued.

The Chief Justice announced to the bar that the first cases for argument tomorrow would be No. 36 Turnipseed, plaintiff in error, vs Saunders, - No 12 - Justices of the Supreme Court of New York, plaintiffs in error, vs. Murray et al, and No 17, Morgan Appellant vs Town of Athol, which had been assigned for that day, and would then proceed with the regular call of the docket.

Proclamation being made the Court adjourned until tomorrow morning at eleven o'clock.

Tuesday December 7th 1869.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase Chief Justice
Samuel Nelson
Robert C. Grier
Nathan Clifford — Associate
Noah H. Swayne — Justices
Samuel F. Miller
David Davis and
Stephen J. Field

Leonard C. Parsons Esquire Marshal.
David Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon Henry Stanbery, it is ordered that E. D. Wheeler Esquire of San Francisco, and William T. Wallace Esquire of San Jose State of California, be admitted to practice as attorneys and counsellors of this court and they

was sworn accordingly.

On motion first made to the Court in this behalf by Mr James M. Lewis it is ordered that Robertson Topp Esquire of Memphis State of Tennessee be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Hon Matt H. Carpenter it is ordered that Eugene M. Wilson Esquire of Minneapolis State of Minnesota, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr James Carr it is ordered that Albert Todd Esquire of St Louis State of Missouri be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr Noah Davis, it is ordered that Charles P. Shaw Esquire of New York City, State of New York, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

122	Thomas Sands vs Appellant The Hardwell Needle Company.	Appeal from the Circuit Court of the United States for the District of New Hampshire.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of New Hampshire and on the motion of Mr Carlisle on behalf of the respective counsel, and per stipulation on file. It is now here ordered adjudged and decreed by this Court, that this

appeal be, and the same is hereby dismissed with costs

per Mr Chief Justice Chase

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36. William M. Farrington
vs. Plaintiff in error.
Ralph S. Saunders.

The argument of this cause was commenced by Mr. P. Phillips of counsel for the plaintiff in error, and continued by Mr Assistant Attorney General Field and Mr Attorney General Kear of counsel for the defendant in error.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Wednesday December 8th 1869.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P Chase Chief Justice.

Samuel Nelson	
Robert C Grier	
Nathan Clifford	Associate
Noah H Swayne	Justices.
Samuel F Miller	
David Davis Esq	
Stephen J Field	

Richard C Parsons Esqure Marshal

David Wesley Middleton Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon S P Carlin, it is ordered that Henry Baldwin Jr Esqure of Philadelphia, State of Pennsylvania be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr S. Brittin it is ordered that Charles Norbrecht Esquire of Memphis State of Tennessee be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

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36. William M Farrington vs. Rufus S Saunders | The argument of this cause was concluded by Mr S. P. Curtis of counsel for the plaintiff in error.

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17. Samuel C Morgan vs. Town of Beloit et al. | This cause was argued by Mr Carpenter of Counsel for the appellant. No counsel appearing for the appellees.

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2. Jeremiah Carhart et al. vs Appellants Charles Austin | Ordered by the Court that this cause

be, and the same is hereby passed without prejudice.

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6 | C. L. & C. S. Latham vs. The United States | Appellants. | Ordered by the Court that this Cause be, and the same is hereby passed for the present.

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7 | Israel Deming vs. The United States. | Appellant | Ordered by the Court that this Cause be, and the same is hereby passed for the present.

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9 | The New Orleans and Bayou Sara Rail Company. vs. Shelburne Simanding dal. | Appellants. | This Cause was submitted to the consideration of the Court on the record and printed argument by Mr Attorney General Hoar on the part of the appellees. Mr Davis declined to present any argument for the ap-

petitions.

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8 Michael Reese
Plaintiff in error
vs.
The United States

This cause was argued by Mr Causey of Counsel for the plaintiff in error. and submitted on printed argument by Mr Attorney General Hoar of Counsel for the defendant in error.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Thursday December 9th 1869.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase Chief Justice.

Samuel Nelson
Robert C. Grier
Nathan Clifford — Associate
Noah H. Swayne — Justices.
Samuel F. Miller
David Davis and
Stephen J. Field

Richard C. Parsons Esquire Marshal
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

The City of New Orleans.
vs
Plaintiffs in Error.
The New York Mail S.S. Company

The argument of this cause was commenced by Mr Van-Sickle of counsel for the plaintiffs in error. The Court declined to hear further argument at present.

11	Stephen H. Head vs. Edward T. Archbold. Appellant	On the motion of Counsel it is now here ordered by the Court that this cause be, and the same is hereby continued to the next term.

13.	John H. Sage, admr &c vs. Ephraim Jones Appellant	The argument of this cause was commenced by Mr J. Lancaster Brent of counsel for the appellant and continued by Mr Davidge and Mr J. H. Bradley of counsel for the appellee, and concluded by Mr R. J. Brent of counsel for the appellants.

11	Ex parte Mark Howard dal Original ... Petitioner	Motion for Mandamus.

On motion of Mr Brent, leave granted him to file motion & petition for Mandamus in this cause.

Proclamation being made, the Court is adjourned until to-morrow morning at eleven o'clock.

Friday December 16th 1864.

Pursuant to adjournment the Court met this morning at the Capitol

Present.

The Honorable Salmon P Chase Chief Justice.

Samuel Nelson	
Robert C Grier	
Nathan Clifford	Associate
Noah H Swayne	Justices.
Samuel F Miller	
David Davis and	
Stephen J Field	

Richard C Parsons Esquire Marshal.

Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court on this behalf by Mr F P Stanton, it is ordered that Daniel Lamb Esquire of Wheeling State of West Virginia be admitted to practice as an attorney, and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court

in this behalf by Hon C Cushing it is ordered that Edwin M. Bigelow Esquire of Boston State of Massachusetts, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr J. H. B. Latrobe, it is ordered that J. R. Tucker Esquire of Baltimore State of Maryland be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr James McCarlisle, it is ordered that John A. Griswold Esquire of Catskill Greene County State of New York, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Hon Matt H. Carpenter

Friday December 10th 1869.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P Chase Chief Justice.

Samuel Nelson
Robert C Grier
Nathan Clifford — Associate
Noah H Swayne — Justices.
Samuel F Miller
David Davis and
Stephen J Field

Richard C Parsons Esquire Marshal.
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court on this behalf by Mr F F Starkey, it is ordered that Daniel Lamb Esquire of Wheeling State of West Virginia, be admitted to practice as an attorney, and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court

in this behalf by Hon C Cushing it is ordered that Calvin M. Bigelow Esquire of Boston State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr J. H. B. Latrobe, it is ordered that J. R. Tucker Esquire of Baltimore State of Maryland be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr James M. Carlisle, it is ordered that John A. Griswold Esquire of Catskill Greene County State of New York, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Hon Matt. H. Carpenter

Hunter it is ordered that John D. Pope Esquire of Atlanta State of Georgia be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court on this behalf by Mr James Grant, it is ordered that Thomas S. Wilson Esquire of Desmoines State of Iowa, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The Chief Justice announced to the bar that the Court would take a recess for four weeks from the 20th instant to the 17th of January.

The Board of President and Directors of the Atlanta Public Schools. Pltffs in Error
vs.
Isaac Hunter et al. Defts in Error

Mr Todd of Counsel for the defendants in error moves the court for leave to enter

the appearance of Thomas A. Walker executor and legal representative of Isaac Walker deceased as a party defendant in error in this cause. On consideration whereof, it is now here ordered by the Court that the appearance of the said Thomas A. Walker executor as aforesaid, be entered, and he is hereby made a party defendant in error in this cause with leave to resist this writ of error.

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87 | The Peoples Passenger R.R. Co. of Memphis. vs. Plaintiff in Error | Mr F. F. Shelton moved the Court for leave to file a printed

John Sart. Ringgor &c. of Memphis.

brief in this cause in behalf of the defendant in error. On consideration whereof, it is now here ordered by the Court that said motion be, and the same is hereby denied.

	De Jarlet, Mark Howard et al	Petition for
11	Original — Petitioners.	Mandamus.

The argument of the petition for a writ of Mandamus in this case, was argued by Mr Grant in favor of the same, and by Mr Cook in behalf of Mr Fuller, in opposition thereto.

	The Mayor &c Aldermen	Mr Grant
	of the City of Davenport. Dep.	suggests the
138	vs Hamlyffe in error.	death of
	The U.S. ex rel. Rufus L. Lord.	Rufus L.
		Lord the

defendant in error in this cause, and filing filed letters testamentary, appointing Thomas Lord and Daniel M. Lord as executors of Rufus L. Lord deceased, now here moved the Court for leave to enter the appearance of the said executors as the defendants in error in this cause. On consideration whereof, it is now here ordered by the Court, that the appearance of the said Thomas Lord and Daniel

St. Lord executors as aforesaid be entered as the defendants in error in this cause, and that the said executors be, and they are hereby made the parties defendant in error in this cause, with liberty to resist this writ of error.

The United States vs. Louis Rubideaux

338 Appellants.

Mr Cole of counsel for the appellee having filed and read in open court the following certificate to wit:

"United States District Court for the Southern District of California.

Before Hon. I S K Ogier
U S Dist Judge.
December Term 1859.

Louis Rubideaux
vs. Appellant.
The United States
Appellee

No 269

This cause coming on to be heard on appeal from the decision of the Board of Land Commissioners to ascertain and settle private land claims in

the State of California upon the transcript of the proceedings and decision of the said board and the documentary and other evidence upon which the same was founded, and upon other evidence taken and filed in this Court, and Counsel for the respective parties having been heard - It is ordered adjudged and decreed that the decision of the said Board of Land Commissioners declaring invalid and rejecting the claim of the above named appellant Louis Rubideaux to the lands set forth and described in the petition to the said board and in the documentary and other evidence filed in this cause be, and the same is hereby reversed And it is further ordered and decreed that the title of the said appellant Louis Rubideaux to the said land as set forth and described in the original grant on file in this cause is a good and valid title and that the claim to the said land be, and the same is hereby confirmed.

The land of which confirmation is hereby made is situated in the County of San Bernardino California lying between San Jacinto and San Gregorio, bounded on the east by San Gregorio, on the north by San Timoteo and Yucaipa and on the west by San Jacinto containing one square league of land and no more.

Isaac S. K. Ogier.
U S District Judge

This done in open Court this 29th Feby 1860.

(Endorsed)
Filed in Office
this 29th Feby 1860.
C Sims, Clk.
Recorded on page 293.

I George E. Whiting, Clerk of the Circuit Courts of the United States for the District of California and ex officio Clerk of the District Court of the United States for said District

do hereby certify the above and foregoing to be a full true and correct copy of the decree confirming claim, in case No 269 Luis Rubideaux appellant vs. The United States appellee, filed in the U.S. District Court for the Southern District of California, on the 29th day of February 1860 and now on file in my office. And I do further certify that on the 1st day of May 1862, an appeal from said decree was granted to the Supreme Court of the United States since which time no further proceedings have been had in said cause.

Witness my hand and the seal of said District Court this 9th day of October 1869.

Seal

Jno. E. Whitney, Clerk.
By H. F. Gardner, Deputy.

And having stated to the court that the appellant had altogether failed to file the record of said cause in this court, or in anyway to pros-

ecute said appeal. Now here moved the Court in pursuance of the 9th rule of this Court, to have this appeal docketed and dismissed. On consideration whereof it is now here ordered adjudged and decreed by this court that this appeal from the District Court of the United States for the Southern District of California, &c. and the same is hereby docketed & dismissed. And that this cause &c. and the same is hereby remanded to the District Court of the United States for the District of California, for further proceedings to be had therein in conformity to law and justice the said appeal notwithstanding

per Mr Chief Justice Chase

The State of Missouri Complainant
2 Orig.ls vs.
The State of Kentucky.

Mr Blair of counsel for the complainant moved the Court for leave to file extracts &c. in this cause. On consid-

oration whereof, it is now here ordered by the Court, that the leave prayed for, be, and the same is hereby granted, subject to exceptions, at the trial for competency.

The Western Union Telegraph Company vs. The United States Telegraph Company, and The Conn Hamilton and Dayton Railroad Company.	Appeal from the Circuit Court of the United States for the District of Ohio.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Ohio, and on the motion of Mr Stanbery of Counsel for the appellant stating that the matters in controversy in this cause, had been agreed and settled between the parties. It is now here ordered adjudged and decreed by this Court, that this

appeal be, and the same is hereby dismissed with costs.

per Mr Chief Justice Taney

The Baltimore and Ohio Railroad Company.	The argument of the motion to dismiss this cause for the want of jurisdiction was commenced by Mr R. Stanton in support of the same. The Court declined hearing further argument on the motion for the present
267 vs. Plaintiffs.	
Superviors of Marshal &c.	

Ex parte U. S. Latham	The motion to
6 vs. Appellants.	dismiss this
The United States	cause was argued by Mr
Assistant Attorney	General Talbot

in support of the same and by Mr Carlisle in opposition thereto.

Ex parte J. F. Pargoud	Motion and petition
Petitioner.	for Mandamus to the
8 Original ...	Court of Claims

On the motion of Mr Durant of counsel for the petitioner, it is now here ordered by the Court that a rule issue in this cause to the Judges of the Court of Claims requiring them to show cause on the first Friday in February next why a writ of Mandamus should not issue directing them to allow an appeal in the case of J. S. Pargoud vs. U.S. agreeably to the prayer of the petitioner.

41	The City of Chicago vs. Appellant Jno. S. Pargoud, admr. of Sam.l Nicholson (dec.d)	Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and on the motion of Mr Merrick on behalf of the respective counsel. It is now here ordered adjudged and decreed by this court that the appeal be and the same is hereby dismissed with costs. Present Hon Chief Justice Taney

14. William S. Ward Etc. vs. The United States. | Appellant. | It is now here ordered by the Court that this Cause, be, and the same is hereby continued to the next term.

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10 The City of New Orleans vs. The New York Mail Steamship Company. | Plaintiff in Error. | In error to the Circuit Court of the United States for the Eastern District of Louisiana.

This Cause came on to be heard on the Transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana, and was argued by Counsel. On consideration whereof, it is now here ordered and adjudged by this Court, that this writ of error, be, and the same is hereby dismissed with costs. And that this cause be, and the same is hereby remand-

ed to the Circuit Court of the United States for the District of Louisiana.

Per Mr Chief Jus Chase.

20.	Isaac N. Swain vs Stephen A. Seamensekab	The argument of this Cause was commenced by Mr Howard of counsel for the appellant.

Proclamation being made the Court is adjourned until Monday morning next at eleven oclock.

Monday December 13th 1869.

Pursuant to adjournment the Court met this morning at the Capitol

Present.

The Honorable Salmon P. Chase, Chief Justice.

Samuel Nelson
Robert C Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
} Associate Justices.

Richard C Parsons Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr E M Nelson it is ordered that F R E Cornell Esquire of Minneapolis, State of Minnesota be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the court on this behalf, by Hon Matt. H. Carpenter, it is ordered that Dewitt Davis Esqure of Milwaukee State of Wisconsin, be admitted to practice as an attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr Assistant Attorney General Field, it is ordered that Francis S. Hesselius Esqure of Savannah State of Georgia, be admitted to practice as an attorney and Counsellor of this court and he was sworn accordingly.

Joseph W. Parrish George C. Hadley. and William K. Huse		Appeal from the United States Court of Claims
80	vs Appellants	
	The United States.	

This cause came on to be heard,

on the transcript of the record from the United States Court of Claims, and was argued by Counsel. On consideration whereof, it is now here ordered adjudged and decreed by this Court that the decree of the said Court of Claims in this cause, be and the same is hereby affirmed.

per Mr Justice Field

A. S. King, A. Baker, and C. Thurlow. Libellants and Appellants.
56 vs.
The proceeds of the sale of the Propeller "Sam Franklin".

Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by Counsel. On consideration whereof, it is now here ordered adjudged and

decreed by this Court, that the decree of the said Circuit Court in this cause, be, and the same is hereby affirmed with costs.

per Mr Justice Davis.

The United States Express Company. Plaintiffs in Error. vs. Koundze Brothers.	In error to the Circuit Court of the United States for the District of Nebraska.

77

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Nebraska, and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Nebraska per Mr Justice Davis.

Benjamin F. Murphy,	In error to the
& Benjamin F. Allen.	Circuit Court
44. vs. Plaintiffs in error	of the United
David Killinger.	States for the
	Northern

District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by Counsel, On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court with directions to award a venire facias de novo.

per Mr Justice Miller.

Dissenting
Mr Justice Nelson
" " Davis

50	Francis A. Gibbons vs The United States.	Appeal from the United States Court of Claims.

This cause came on to be heard on the transcript of the record from the United States Court of Claims, and was argued by counsel. On consideration whereof, it is now here ordered adjudged and decreed by this court, that the decree of the said Court of Claims in this cause be, and the same is hereby affirmed. per Mr Justice Miller.

73	James Bradley Plaintiff in Error. vs R. S. Shoemaker Caroline Rhines, admr & A. S. Reiss deceased.	In error to the Circuit Court of the United States for the Eastern District of Pennsylvania.

This cause came on to be heard on the transcript of the record from

the Circuit Court of the United States for the Western District of Pennsylvania, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs. per Mr Justice Miller.

James C. Kennedy, a receiver of the Merchants National Bank of Washington City. — Appeal from the Circuit Court of the United States for the District of Maryland.

47. vs. Appellant.

Patrick Gibson, John S. Berry, Laurence P. Bayne, Sue S. Hough, Oscar King and the National Mechanics Bank of Baltimore.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maryland, and

was argued by Counsel. On consideration whereof, it is now here ordered adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause, be, and the same is hereby affirmed with costs. Per Mr Justice Swayne.

Josiah Morris, agent and claimant for the Bank of Louisiana	Appeal from the District Court of the United States for the Middle District of Alabama.
52 vs. Appellant,	
The United States.	

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Middle District of Alabama, and was argued by Counsel. On consideration whereof, it is now here ordered adjudged and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby reversed And that this cause be, and the same is hereby

remanded to the said District Court for further proceedings to be had therein in conformity to the opinion of this Court.

per Mr Justice Clifford.

"The Steamer Baltimore" The New York and Washington Steamship Company Claimants. Appellants		Appeal from the Supreme Court of the District of Columbia
71.	vs.	
James H Perkins & Benjamin B Williams, owners of the Schooner "J. H Nicolson"		

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by Counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby reversed with costs. and that this cause be and the same is hereby re-

manded to the said Supreme Court with directions to award a new trial in conformity to the opinion of this Court. per Mr Justice Clifford.

The Peoples Passenger Railroad Company of Memphis. vs Plaintiffs in error, John Park, Mayor, and the Board of Mayor & Aldermen of the City of Memphis & the Memphis City R. R. Co.

57 | In error to the Supreme Court of the State of Tennessee.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Tennessee, and was argued by counsel. On consideration whereof, it is now here ordered adjudged & decreed by this Court, that the decree of the said Supreme Court, in this cause be, and the same is hereby affirmed with costs. per Mr Jus. Clifford. Dissenting Mr Jus Davis. Mr Jus Nelson & Mr Ch Jus Chase.

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55. Isaac Kempner, impleaded with J. D. Lennison vs. Charles B Churchill, Leonard R. Smith, Lewis Freudlander, Julius Fitch and Lepol Lilhaner.

Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States, for the Northern District of Illinois and was argued by counsel. On consideration whereof, it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause, be, and the same is hereby affirmed with costs.

Per Mr Justice Grier

Monday December 13th 1869 continued.

F Mandlebaum and A Klauber Plaintiffs in error, vs. The People of the United States in the Territory of Nevada.	In error to the Supreme Court of the Territory of Nevada.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Nevada, and was argued by counsel. On consideration whereof, it is now here ordered adjudged and decreed by this Court that the decree of the said Supreme Court, in this cause, be, and the same is hereby reversed with costs, and that this cause be, and the same is hereby remanded to the Supreme Court of the State of Nevada, for further proceedings to be had therein, in conformity to the opinion of this Court.

per Mr Justice Nelson.

	William Aldrich Marlin B Medbury H H Smith, John W. Medbury, and James F. Aldrich	In error to the Superior Court of Buffalo in the State of New York.
31.	vs. Plaintiffs in error.	
	The Aetna Insurance Comp'y	

This cause came on to be heard on the transcript of the record from the Superior Court of Buffalo, being possessed of the record and proceedings upon a remittitur from the Court of Appeals of the State of New York and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court, that the judgment of the said Superior Court in this cause be, and the same is hereby reversed with costs, and that this cause be, and the same is hereby, remanded to the said Superior Court for further proceedings to be had therein in conformity to the opinion of this Court.

per Mr Justice Nelson.

The President, Directors and Company of the Veazie Bank
30. vs. Plaintiffs
Jeremiah Fenno, Collector of Internal Revenue

Certificate of division in opinion between the Judges of the Circuit Court of the United States, for the District of Maine.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maine, and on the points or questions on which the Judges of the said Circuit Court were opposed in opinion, and which were certified to this Court for its opinion, agreeably to the act of Congress in such case made and provided, and was argued by Counsel. On consideration whereof, it is the opinion of this Court that the three questions certified must be answered in the affirmative. Whereupon it is now here ordered and ad-

judged by this Court, that it be so certified to the said Circuit Court.

Dissenting:
Mr Justice Nelson
" " Davis

per Mr Chief Jus. Chase.

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267. The Baltimore and Ohio Railroad Company vs The Supervisors of Marshall County. | Motion to dismiss &c.

The motion to dismiss this case for want of jurisdiction must be denied.

It comes here upon a certificate of division of opinion, and the principal point certified is whether the Circuit Court had jurisdiction. It is quite clear that this Court has jurisdiction to determine that point.

A motion has also been made to advance the cause upon the docket, on the ground that very important interests of the State of West Virginia are involved in the litigation.

The case however does not come within any of the exceptions to the 30th Rule which requires that all cases shall be heard when reached in the regular call of the docket, and in the order in which they are entered.

We are obliged therefore to deny the motion.

per Mr Chief Justice Chase.

6	O Pr C S Latham vs. Miscellaneous. The United States.	Motion to dismiss.

This is a motion to dismiss appeal from the judgment of the Court of Claims on the ground that it was not allowed within the ninety days fixed by the statute.

And it appears that the order of allowance was not made within the statutory time. But it also appears on examination that the prayer of allowance was within the time, and we have heretofore

held that the order allowing the appeal must have relation back to the date of the prayer for allowance, and be considered as made on that day.

The motion must therefore be denied.

Per Mr Chief Justice Chase

Julius Hornthall &c.
vs. Appellants.
Martin Keary, Coll. &c.

On the motion of Mr Shanley it is ordered by the Court that leave be, and the same is hereby granted him to file brief for the appellants by Friday next.

Jacob D. Cox, Secretary of the Interior
337 vs. Plaintiff in Error.
The United States ex. rel. Wm. D. McGraham.

On the motion of Mr Attorney General Hoar it is ordered by the Court that this cause be set for argument on the 17th day of January next.

Nathaniel M. Page
Exr. of Saml. Miller deceased
127 vs. Plaintiff in error
The United States
and
William N. McVeigh
174 vs. Plaintiff in Error,
The United States

On the motion of Mr Attorney General Hoar it is ordered by the Court that these cases be set for argument on the last Monday in January to follow No. 98 and 99 cases assigned for that day.

P. P. Wheelock and
George H. Haisted
382 vs. Appellants,
Charles H. Warden.

Mr Dick of counsel for the appellee having filed and read in open court the following certificate to wit:

"Supreme Court of Montana Territory.

Charles H. Warden
Respondent
vs.
P. P. Wheelock & George H. Haisted Appellants.

Appeal from the 3rd Judicial District Court, Lewis and Clarke County.

I, Lucius S Peck, clerk of said Supreme Court do hereby certify that R. R. Wheelock, and George W. Plaisted appellants in this action filed their transcript on appeal in this cause in this Court on the day of December A.D. 1868. That afterwards to wit on the 31st day of December 1868, the judgment of the court below was affirmed with costs, by the said Supreme Court, from which said judgment of said Supreme Court an appeal was taken to the Supreme Court of the United States of America. That afterwards to wit on the 15th day of January A.D. 1869 said R. R. Wheelock, and George W. Plaisted filed their bond on appeal to the said Supreme Court of the United States of America which said appeal was duly sued out, and allowed. All of which appears of record in said Supreme Court of Montana Territory.

In testimony whereof, I have hereunto subscribed

my name and affixed the seal of said Supreme Court of Montana Territory this 15th day of November A.D. 1869.

Seal

Lucius S. Pickett Clerk.
by Alden Deputy.

and having stated to the court that the appellant had altogether failed to file the record of said cause in this court or in anyway to prosecute said appeal. Now here moved the court in pursuance of the 9th rule of this court to have this appeal docketed and dismissed. On consideration whereof, it is now here ordered adjudged and decreed by this Court that this appeal from the Supreme Court of Montana Territory be, and the same is hereby docketed and dismissed with costs. And that this cause be, and the same is hereby remanded to the said Supreme Court for further proceedings to be had therein,

in conformity to law and justice the said appeal notwithstanding.

per Mr Chief Justice Chase

Isaac N. Swain
vs. Appellant
Stephen St Sauveur et al

The argument of this cause was continued by Mr Carpenter of counsel for the appellees.

Proclamation being made, the Court is adjourned until tomorrow morning at eleven o'clock.

Tuesday December 14th 1869.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase Chief Justice.

Samuel Nelson
Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
} Associate Justices

Richard C. Parsons Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in this behalf, by Mr Carlisle it is ordered that Edmund F. Dunne Esquire of Unionville State of Nevada, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the court on this behalf by Hon G H. Williams, it is ordered that L. O. Stearns Esquire of Butler City State of Oregon be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

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20 Isaac N. Swain vs. Stephen Seamens et al. | The argument of this cause was continued by Mr Carpenter of counsel for the appellees and concluded by Mr Howard for the appellant.

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21 Edward J Bassett et al. vs The United States | This cause was submitted to the consideration of the court on the record and printed arguments by Mr Attorney General Hoar, and Mr Assistant Attorney General Field of counsel for the defendant in error. No counsel appearing for the plaintiff in error.

Tuesday December 14th 1869.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase Chief Justice.

Samuel Nelson
Robert C. Grier
Nathan Clifford — Associate
Noah H. Swayne — Justices
Samuel F. Miller
David Davis
Stephen J. Field

Richard C. Parsons Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr Carlisle it is ordered that Edmund F. Dunne Esquire of Unionville State of Nevada, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the court on his behalf by Hon G H. Williams, it is ordered that L. O. Stearns Esquire of Butler City State of Oregon be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

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20 Isaac N. Swain vs. Stephen Seamens et al. | Appellant

This argument of this cause was continued by Mr Carpenter of counsel for the appellees and concluded by Mr Howard for the appellant.

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21 Edward S Bassett et al. vs The United States | Plaintiffs in error

This cause was submitted to the consideration of the court on the record and printed arguments by Mr Attorney General Hoar, and Mr Assistant Attorney General Field of counsel for the defendant in error. No counsel appearing for the plaintiffs in error.

Tuesday December 14th 1869 Continued.

The United States 22 vs. Plaintiffs Charles A. Keehler & al.	This cause was submitted to the consideration of the Court

on the record and printed argument by Mr Attorney General Hoar and Mr Assistant Attorney General Field of counsel for the plaintiff. No counsel appearing for the defendant.

Henry Drehman Plaintiff in Error 24 vs. Charles G. Stifel	The argument of this cause was commenced by Mr Hughes of Counsel for

the plaintiff in error, continued by Mr Attorney General Hoar and Mr Blair of Counsel for the defendant in error, and concluded by Mr Hughes for the plaintiff in error.

Tuesday December 14th 1859 Continued.

The Providence Rubber Company. vs. Appellant - Charles Goodyear Executor of Charles Goodyear deceased

The argument of this cause was commenced by Mr Payne of counsel for the appellants

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Proclamation being made the Court is adjourned until tomorrow morning at eleven oclock.

Wednesday December 15th 1869.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P Chase, Chief Justice.

Samuel Nelson
Robert C Grier
Nathan Clifford — Associate
Noah H Swayne — Justices.
Samuel F Miller
David Davis
Stephen J Field

Richard C Parsons Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Carr, it is ordered that Thomas C Fletcher Esquire of Saint Louis State of Missouri be admitted to practice as an attorney and Counsellor of this Court, and he was sworn accordingly.

Wednesday December 15th 1859 continued

On motion first made to the Court in this behalf by Mr Stoughton, it is ordered that John D. Hawley Esquire of Rock Island State of Missouri, be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

On motion first made to the Court in this behalf by Hon. T. C. Howe, it is ordered that Hamon R Wick Esquire of Tallahassee State of Florida, be admitted to practice as an attorney and Counsellor of this Court, and he was sworn accordingly.

Thomas A Gibbons Sr.		On the
vs.	Appellant	motion
The United States.		of Mr
		Merry-

man it is ordered by the court, that leave be granted the Clerk to issue the mandate in this cause.

Wednesday December 15th 1869. Continued.

25 The Providence Rubber Company Appellant, vs. Charles Goodyear Ex.r of Charles Goodyear, dec.d. et al.

The argument of this cause was continued by Mr Payne of counsel for the appellants, and by Mr Stoughton of counsel for the appellees.

Proclamation being made the Court is adjourned until tomorrow morning at eleven oclock.

Thursday December 16th 1869

Pursuant to adjournment the Court met this morning at the Capitol

Present.

The Honorable Salmon P Chase, Chief Justice
Robert C Grier
Nathan Clifford
Noah H Swayne
Samuel F Miller
David Davis
Stephen J Field
} Associate Justices.

Richard C Parsons Esquire Marshal.
David Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon William M Evarts, it is ordered that Melville E Ingalls Esquire of Boston State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

John M. Berry
and H. J. Berry
Plaintiffs in error.
vs.
H. M. Staley.

Mr Thomas F. Withrow of Counsel for the defendant in error having filed and read in open court the following certificate to wit:

"In the Circuit Court of the United States, District of Iowa.

H M Staley
v.
John M Berry.
and H. J. Berry.

I George P Corkhill Clerk of the Circuit Court of the United States, in and for the District of Iowa, hereby certify that on the 27th day of May 1859 judgment was rendered in favor of plaintiff and against defendants in the above entitled cause, for the sum of Six thousand five hundred and one and 02/100 dollars together with interest from the 27th day of May 1859 at 6

344.

per cent with costs taxed at $

That a citation was served in said cause on the 30th day of October 1869 and a writ of error filed in my office in said cause which said writ was made returnable on the 6th day of December 1869. And I further certify that the plaintiffs in error in said cause filed in my office on the 4th day of June 1869 a supersedeas bond with themselves as principals and Alfred Hurst, J. C. Perry, James Perry, J. K. Wilmer ——— as sureties thereon, and that since the filing of said bond, and the proceedings herein since taken, the said plaintiffs in error have taken no steps, to procure and have a transcript in said cause entered to the Supreme Court of the United States

In testimony whereof I have hereunto set my hand and affixed the seal of said Court at Los Angeles in said District this 11th day of December A. D. 1869. Geo. B. Cothrell, Clerk

and having stated to the Court that the plaintiffs in error had altogether failed to file the record of said cause in this Court or in any way to prosecute said writ of error. Now here moved the Court in pursuance of the 9th rule of this Court to have this writ of error docketed and dismissed. On consideration whereof, it is now here ordered and adjudged by this Court that this writ of error from the Circuit Court of the United States for the District of Iowa, be and the same is hereby docketed and dismissed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity thereunto and justice the said writ of error notwithstanding. Present Mr Chief Jus. Chase.

Thursday December 10th 1859. Continued.

25. The Providence Rubber Company. vs Appellant Charles Goodyear Exc! &c.

The argument of this cause was continued by Mr Stoughton, and Mr Ackerman of counsel for the appellees and by Mr Cushing for the appellants.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock

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Friday December 17th 1869

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase, Chief Justice
Robert C. Grier
William Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
} Associate Justices.

Richard C. Parsons Esquire Marshal
Daniel Wesley Middleton, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr H. E. Curtis it is ordered that John Ordronaux Esquire of New York City, State of New York, be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

Friday December 17th 1869 Continued.

97 The Steamboat "Emilie" vs. Plaintiffs in error Thomas Carney et al. | The motion to dismiss this writ of error was argued by Mr Black in support of the same, and by Mr Carr in opposition thereto.

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394 John M. Berry, et al vs. Plaintiffs in error H. M. Staley. | Mr Wilson of counsel for the defendant in error, moved the Court, to grant leave to the Clerk to issue the mandate in this cause.

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12 The Justices of the Supreme Court of New York, 2nd Judicial District. vs. Plaintiffs in error The U.S. ex rel Robert Murray et al | Points for reargument. - 1st. Whether or not an act of Congress providing for the removal after judgment by a State Court, of the cause in which

the judgment was rendered, for new trial, is void in pursuance of the Constitution of the United States.

II. Whether or not the provision in the seventh amendment of the Constitution of the United States which declares that no fact tried by a jury shall be otherwise re-examined in any Court of the United States, than according to the rules of the Common law, applies to facts tried by a jury in a State Court.

The Providence Rubber Company. vs. Appellant, Charles Goodyear, &c. &c.

The argument of this Cause was continued by Mr Hartmann and Mr Curtis of Counsel for the appellees.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Saturday December 18th 1869.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase, Chief Justice.

Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
} Associate Justices.

Richard C. Parsons, Esquire, Marshal.
Daniel Ridgely Wilmer, Clerk.

Proclamation being made the Court is opened.

No. 25. The Providence Rubber Company -vs- Charles Goodyear, &c. et al. — Appellants.

The argument of this cause was continued by Mr Evarts of Counsel for the appellees & concluded by Mr Stoughton for the appellants

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Proclamation being made the Court is adjourned until Monday morning next at eleven o'clock.

Monday December 20th 1869.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Salmon P Chase, Chief Justice.

Robert C Grier
Nathan Clifford
Noah H Swayne
Samuel F Miller
David Davis
Stephen J Field.
} Associate Justices.

Richard C Parsons Esquire Marshal.
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened

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82. The State of the Treadlass vs. Edward S Rowse, Collector of the Revenue for St Louis County State of Missouri. | In error to the Supreme Court of the State of Missouri.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of

Missouri, and was argued by Counsel.
On consideration whereof it is now
here ordered and adjudged by this
Court that the judgment of the said
Supreme Court in this Cause, be,
and the same is hereby reversed
with costs. and that this Cause
be, and the same is hereby remand-
ed to the said Supreme Court for
further proceedings to be had therein
in conformity to the opinion of this
Court. Per Mr Justice Davis.

Dissenting:
Mr Jus. Miller
" Chf. Jus. Chase
" " Field

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83. The Washington University vs. Edward S. Rouse Coll.r of the Revenue for St Louis County, State of Missouri.

Plaintiff in error to the Supreme Court of the State of Missouri.

This Cause came on to be heard on the transcript of the record

from the Supreme Court of the State of Missouri, and was argued by Counsel - On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause, be, and the same is hereby reversed with costs, and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings to be had therein, in conformity to the opinion of this Court. per Mr Justice Davis.

Dissenting
Mr Justice Miller
" Chf Jus: Chase.
" Justice Field.

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93. The United States Exrel Thomas Bulz Plaintiff in error vs: The Mayor & Aldermen of the City of Muscatine | In error to the Circuit Court of the United States for the District of Iowa.

Monday December 26th 1859 Continued

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Iowa, and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause, be, and the same is hereby reversed with costs and that this cause, be, and the same is hereby remanded to the said Circuit Court with directions to sustain the demurrer, and for further proceedings to be had therein in conformity to the opinion of this Court.

per Mr Justice Swayne.

Dissenting
Mr Justice Miller
Chf Jus Chase

The Steamboat "Emilie" vs. Plaintiff in error
Thomas Carney & Thomas C. Stevens, Partners as Carney & Stevens.

In error to the Supreme Court of the State of Kansas

67

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Kansas and on the motion of Mr Black of counsel for the defendant in error - it is now here ordered and adjudged by this Court that this writ of error be, and the same is hereby dismissed for the want of jurisdiction.

per Mr Chief Justice Chase.

John M. Berry et al. Pltffs in Error. vs. H. H. Staley's

On consideration of the motion of Mr Withrow for Mandate to issue - it is now here ordered by the Court, that leave be, and the same is hereby granted the Clerk to issue the Mandate in this cause

3941

Monday December 20th 1819 Continued

Ex parte. Mark Howard et al	Petitioners.	Motion & Petition for Mandamus.

This Cause came on to be heard on the Motion and petition for Mandamus and was argued by Counsel - On Consideration whereof it is now here ordered & adjudged by this Court, that an alternative writ of Mandamus, issue from this Court, directed to the Judges of the Circuit Court of the United States for the District of Iowa returnable on the first Monday in ~~February next.~~

Proclamation being made the Court is adjourned until Monday the 17th of January next at 11 o'clock.

Monday January 17th 1870.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honble Salmon P. Chase, Chief Justice.

Nathan Clifford
Noah H. Swayne,
Samuel F. Miller,
David Davis.
} Associate Justices.

Richard C. Parsons, Esquire Marshal.

David Wesley Middleton, Clerk.

Proclamation being made the Court is opened

Mr Hoar Attorney General of the United States addressed the Court as follows:

"May it please your Honors: Since your last adjournment the ceremonies of public mourning have been again displayed in the Capital of the Nation under circumstances which press upon the attention of the Court with a peculiar and touching solemnity. A great man - great by the acknowledgment alike of those who feared

or hated him, and of those by whom he was trusted and honored a lawyer, a statesman selected and confirmed though not commissioned, as an associate justice of the Supreme Court of the United States, has passed away from among us. Edwin M Stanton in the maturity of life, with a capacity for public service already demonstrated, in the security of established fame, seemed to our mortal vision about to enter upon a new and long career of honor and usefulness. But such was not the will of Heaven. "Dis aliter visum."

It has seemed to his brethren of the Bar a fit occasion to express their regard for his memory, and they have charged me with the official and grateful duty of presenting to your Honors the resolutions, which have been adopted at their meeting this evening.

Of Mr Stanton as a

lawyer, it is enough to say that he had risen to the foremost rank in his profession. He had adequate learning, untiring industry, a ready and retentive memory, clear comprehension of principles, the power of profound and cogent reasoning, and unquestionable integrity; and he gave to the cause of his clients a vigor, energy and zeal which deserved and commanded success.

But it is not of the lawyer, eminent as he was in the science and practice of the law, that men chiefly think as they remember him. His service to mankind was on a higher and wider field. He was appointed Attorney General by Mr Buchanan on the 20th of December 1860; in one of the darkest hours of the country's history; when the Union seemed crumbling to pieces without an Armed raised for its support, when "without" the public counsels," was doubting, and within,

were fears" when feebleness and treachery were uniting to yield whatever dyed rebellion might demand and good men everywhere were ready to despair of the republic. For ten weeks of that crisis of national agony and shame with patriotism that never wavered, and courage that never quailed, this true American, happily not wholly alone, stood manfully at his post "between the living and the dead" gave what nerve he could to timid, and trembling imbecility, and met the vexed questions of their country's ruin with an undaunted front, until, before that resolute presence, the demons of treason and civil discord appeared in their own shape, as at the touch of Ithuriels spear, and fled baffled and howling away.

His published opinions, as Attorney General fill but nine pages, but the name that was signed to them had in that brief time, become known throughout the land

as the synonyme of truth honor and fidelity.

Although of a different political party he was called by Mr Lincoln into his cabinet in 1862, as the Secretary of War. But it was at a time when all party divisions had become insignificant, and all party ties trivial compared with those great duties which engrossed the thoughts and demanded the care of every patriot. He brought to his great trust a capacity for labor that seemed inexhaustible, unbending courage, indomitable will, patience and steady persistence which no fatigue could weary and no mistakes or misfortunes divert; a trust in the people that never faltered, an integrity which corruption never dared to approach, and a singleness of purpose which nothing could withstand. That purpose was to crush the rebellion and woe to that man who came, or seemed to come, between

that purpose and to execution. Coming from civil life, I suppose there is no sufficient evidence that he was, or ever became, a master of the art of war; but the problem before him was to find those who were, and to bring all the resources of the Country with unlimited measure to their support. He might well address himself to those "Chief of men, who through a cloud, not of war, only but clouds into fire, Led by faith and matchless fortitude, to peace and truth thy glorious way has ploughed."

Undoubtedly he had faults and failings. He was said to be despotic and overbearing, and he may have been sometimes unjust; but his work was done in a time when there was little chance for deliberation, and when "the weightier matters of the law" left no time for "tithing mint and anise and cummin". He felt that the life of the nation

was on his hands, and under that fearful responsibility he could not always adjust with delicate hand the balance of private rights and wrongs. It is said that his manners were sometimes discourteous and offensive. Who can wonder that that wearied and overburdened man, with such pressure on brain and nerve, was sometimes irritable and unceremonious in his intercourse with shirking officers, and speculating contractors, and the crowd of hungry cormorants, and interminable bores who perpetually sought access to him, and sometimes confounded with such, those who deserved better treatment. But the American people knew that he was honest able and faithful. He never stopped for explanation or condescended to vindicate himself. I have thought it one of the highest and finest traits of his character that he bore in grim silence all accusations and stood

manfully between his chief and popular censure for acts which he had neither originated nor approved.

It was perhaps the highest triumph of his official career, and the final proof of how justly his confidence in his countrymen was bestowed, that he conducted and carried through the Military draft, that severest trial to a free people. when the country in the time of her direst need, ceasing to entreat, commands the services of her sons.

He had his reward, and like the President whom he served

"Ill thought, ill feeling, ill report lived through. Until he heard the hisses change to cheers, the taunts to tributes, the abuse to praise, and heard them with the same unwavering mind."

He saw the rebellion crushed and the integrity of the Nation vindicated. The people who had learned to know that he was a

source of strength in the time of civil war, who had felt that their cause would never be abandoned or betrayed by him, and to whom his presence in office gave a sense of protection and security, have hailed with joy the prospect which was lately opened of transferring him to a new post of duty in this high tribunal. They knew that the Statesman who had found in the Constitution all the powers necessary for its own maintenance, would as a jurist not fail to find there all the powers needful for the protection throughout the entire country of that civil liberty, which it was ordained to secure. But he was already worn out in their service and gave his life for them as truly as anyone who ever perilled it on the field of battle.

Mr Chief Justice. The lesson of his life is a lofty one. The time is soon coming when men will

recognize the high natures who, in this period of civil strife, have risen above the ordinary level of mankind, and are entitled to their gratitude and fame. Upon those towering peaks in the landscape, the eye will no longer discern the little inequalities and roughnesses of surface. Already upon the canvass of history some figures are beginning to emerge. They are not those of self seekers, or those who were greedy of power or place; but the men who, in the time of public trial and public danger, with none but public danger, with none but public objects, have done much for their country and mankind. Among these our contemporaries fail to discern, - will not posterity surely recognize - the lineaments of Edwin M. Stanton - A devoted Country is his monument.

"Nothing can ever be high fame but Heaven.
No pyramids set off his memories
But the eternal substance of his greatness.
To which I leave him."

Resolutions.

Edwin M. Stanton, for many years a leading and honored member of this bar, formerly Attorney General of the United States, and Secretary of War, during the war for the preservation of the Republic, recently nominated and confirmed to fill a prospective vacancy on the bench of the Supreme Court of the United States, distinguished by his professional ability and attainments, and still more distinguished and endeared to the Country he contributed so greatly to save, by his energy, patriotism and integrity, having on the 24th day of December 1869, laid down a life devoted to the cause of his country, and worn out in her service, the members of the bar of the Supreme Court of the United States, assembled to render honor to his memory, as an expression of their regard and reverence for his public, and private virtues, and of his most

useful and patriotic career, have

Resolved. That we desire to express our profound and thorough appreciation of the private worth and public merits of Mr Stanton; of the loss sustained by the National judiciary in his death; and of the measureless debt of gratitude due to him from the citizens of a country saved from destruction in great degree by his untiring labors, large comprehension and unswerving integrity.

Resolved. That the Attorney General be requested to lay this expression of our feeling before the Court, and to move that the same be entered upon the minutes of the term.

Resolved. That our Chairman communicate a copy of these proceedings, and of such action as the Court may take thereon to the widow and children of our deceased brother with the assurance of our sympathy and respect

The Chief Justice said
the Court unites with the Bar
in acknowledgment of the private
worth, the professional eminence
and the illustrious public services
of Mr Stanton, and in sorrow
that the Country has been de-
prived, by his premature decease,
of the great benefits justly expected
from his remarkable attainments
and abilities in the new sphere
of duty to which he had just been
called.

We all anticipated from his
accession to the bench, increased strength
for the Court, and more efficient
aid in its deliberations and decis-
ions. We indulged the hope that
his health, impaired by oppressive
anxieties and arduous labors, as
the Head of the Department of War,
would be fully restored, under
the influence under the calmer and
more regular course of this tribunal,
and that prolonged life would

afford him many opportunities of establishing additional claims upon the gratitude and honor of his country in the upright performance of judicial duty.

But Providence has ordered otherwise. He was not even permitted to become in fact a member of this Court. He had hardly been nominated and confirmed to fill the vacancy which will occur a few days hence through the prospective resignation of our learned brother Mr Justice Grier, when death entered upon the scene and closed his earthly career.

Our deepest sympathies are with his family and friends in their bereavement. We mourn their loss as our own loss; as the loss of the profession which he adorned and of the Country which he served.

The proceedings of the bar, the orders of the Court and this Resolution will be entered upon the minutes and as a further mark of respect the Court will now adjourn without transacting any business

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Proclamation being made, the Court adjourned until tomorrow morning at eleven o'clock

Tuesday January 18th 1870

Pursuant to adjournment the Court met this morning at the Capitol.

Present,

The Honorable Salmon P. Chase, Chief Justice
Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
Associate Justices.

Richard C. Parsons Esquire Marshal
Lemuel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court on this behalf by Hon Reverdy Johnson it is ordered that Charles Howard Esquire of Baltimore State of Maryland be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.-

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Tuesday January 18th 1870 Continued

113	Kenneth K. Worthy vs. Sheriff in error. Commissioners of Mun Co.	Mr Page for plaintiff in error to dismiss this writ of error

121	Washington L. Schenck and Calvin C. Weir. vs. Appellants Gordon N. Peay	Mr Alfred Pike of counsel for the appellee having filed the

read in open Court, the following certificate to wit:

"United States of America
Eastern District of Arkansas.
Be it remembered, that at a Circuit Court of the United States of America, in and for the Eastern District of Arkansas, begun and holden on Monday the twelfth day of April Anno Domini One thousand eight hundred and sixty-nine, at the United States Court Room in the City of Little Rock, Arkansas, the Honorable Henry C. Caldwell, District Judge presiding and holding

And Court the following proceedings were had to wit:

And on May 7th A.D 1869, it being yet a day of the March Term aforesaid, the following further proceedings were had to wit;

Washington L. Schenck - Complainant
vs
Gordon N. Peay & Calvin C. Wiss, defendants. On Bill

and

Gordon N. Peay - Complainant.
vs. On Cross Bill
Washington L. Schenck
and Calvin C. Wiss - defendants.

This cause came on to be heard upon the original bill of the Complainant Washington L. Schenck and exhibits thereto, and Document as to attachment of United States District Tax Commissioners for Arkansas, the answer of Gordon N. Peay to original Bill, and exhibits to said answer, and Documents No 1 Copy of first advertisement of said Tax Commissioners No 2. Paper Containing

advertisement of Tax sale by said Commissioners - No 3. Certified copy of sale book of said Commissioners. Marked "F" No 11 City Assessment Book of Taxes of 1861, and replication to said answer - The supplemental answer and Cross Bill of the said Gordon N. Peay and exhibits thereto, - the answer of Washington L. Schaat to said Cross Bill and replication thereto - The answer of said Corrin C. Bliss to said Cross Bill and the replication thereto, the amendment of said complainant Washington L. Schaat to his said Original Bill, the answer of Gordon N. Peay to said Amendment to said Original Bill, and exhibit to said answer and the replication to said answer and depositions taken by and read on behalf of said Gordon N. Peay, one of the defendants in said Original Bill, and complainant in said Cross Bill, contained in packages No 1 No 2. No 3 and No 4 and various certificates of pur-

Shaw at Tax sale, and deed of possession issued by said Commissioners to said Bliss, and by him produced at the hearing and the documentary proof of title in said Gordon K. Seay to the property here in controversy, not being required by said other parties at the hearing, and was heard, and was argued by Counsel and submitted, and by the Court taken under advisement. And the Court being now well and sufficiently advised concerning the premises and of the facts to render herein. It is therefore ordered adjudged and decreed by the Court here, that the said Certificates of purchase numbered 32 and 43 appearing to have been issued by Keeling Coopersmith and Enoch K Lucas as a Board of United States Direct Tax Commissioners to said Calvin C. Bliss, as the purchaser at a tax sale made and held by them on the 11th day of May 1865, of and for said property namely Block on

square numbered one hundred and thirty-five (135) and lots No 1. two, three and twelve in Block or square c No One hundred (Lots 1 2 3 and 12 Block 100) all in the City of Little Rock west of the Dunfar line and also the deed of conveyance from said Calvin C. Bliss to said Washington I. Schenck, recorded on and bearing date January 18th 1866 of and for one undivided fourth part of and interest in said above described lots or parcels of land &c, and the same are hereby cancelled and annulled, and the clouds and incumbrance thereof, removed from the title of said complainant in said Cross Bill.

And that John D. Rison Esquire, the Receiver heretofore appointed in this cause to take of said several lots or parcels of land and appurtenances, do forthwith deliver possession of the same to the said Gordon N. Ray - And that said defendant Calvin C. Bliss account-

for and pay to the said Gordon
H. Stay the reasonable rents of said
property from the time he came into
possession thereof under or by virtue of
his alleged purchase thereof at such
late sale, to the date of his conveyance
of one fourth part thereof to said Wash-
ington L. Schenck and three fourths
of such rents from the date of such
conveyance down to the time when
said property came into the posses-
sion of said Receiver and that Wash-
ington L. Schenck in like manner
account for and pay to said Gordon
H. Stay the one fourth part of such
rents from the said date of said Con-
veyance by said Calvin C. Bliss
to him down to the time when said
property came into the possession
of said Receiver. And that the said
John V. Pinson as such Receiver
do account for and pay over to the
said Gordon H. Stay the net rents
of said property from the time the same
so came into his possession down

to the time of such accounting. And because the amounts of such sums are unknown to the Court here, But Thomas P. Redmond Esquire Clerk and Master of this Court, proceed upon reasonable notice to said parties or their respective solicitors of record, to take and state an account thereof allowing and paying and to said Receiver credit for all sums appearing, to have been paid out by them for taxes upon and needful repairs of said property, and for improvements if any, the question as to such improvements being reserved, while in their possession respectively and to said Receiver a reasonable and proper compensation for his services as such Receiver herein, and that said Master make report of all singular the taking and stating of such account to this Court.

And that the said Washington L. Schenck and Calvin E. Bliss, do pay the costs of this suit, to be taxed upon the final disposition

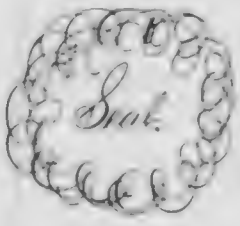
thereof after the coming in of the report of said Master, until when this cause is continued.

Whereupon the said Washington L. Schenck Complainant in said Original Bill, and said Calvin C. Moss, and said Washington L. Schenck, Defendants in said Cross Bill pray an appeal from the decree herein rendered to the Supreme Court of the United States, and such appeal is hereby granted and allowed. And it is further ordered that said appeal operate as a stay of proceedings in execution of said decree upon said appellants or one of them with good and sufficient securities to be approved of, by the Court here execute a bond to the said Gordon N. Peay, Complainant in said Cross Bill in the sum of Six thousand dollars conditioned as provided by law in such case.

United States of America
Eastern District of Arkansas

Tuesday January 18th 1870. Continued.

I Charles P. Redmond Clerk of the Circuit Court of the United States for the Eastern District of Arkansas in the Eighth Circuit, hereby certify that the foregoing writing annexed to this certificate is a true correct and compared copy of the original summons of record, in my office.



In testimony whereof, I have hereunto set my hand and the seal of said Court this nineteenth day of May, in the year of our Lord One thousand eight hundred and sixty-nine, and of the Independence of the United States of America the ninety-third.

Attest: Chas P. Redmond
Clerk.

Circuit Court of the United States.
For the Eastern District of Arkansas,
on the Chancery side of said Circuit Court

Washington S. Stroud, Complainant.
vs. Original Bill.
Gordon N. Peay and others, Defendants
Calvin C. Slack

Gordon N. Peay Complainant
vs. Cross Bill
Washington I. Skinner
and Calvin C. Bliss. Defendants.

Know all men by these presents that
we Calvin C. Bliss.

Are held
and firmly bound unto Gordon N.
Peay, in the sum of six thousand
dollars to be paid to the said Gor-
don N. Peay his executors or ad-
ministrators, to which payment
well and truly to be made, we bind
ourselves and each of us jointly and
severally and our heirs and each
of our heirs executors and ad-
ministrators firmly by these pres-
ents, sealed with our seals and da-
ted this day of May in the year
of our Lord One thousand Eight hun-
dred and sixty nine. Whereas the
above named Calvin C. Bliss hath
prayed an appeal to the Supreme

Court of the United States to reverse the decree rendered in favor of the said Jordan K. Bay complainant upon Cross Bill against the said Calvin C. Bliss and Washington L. Scherck respondents in the above entitled cause by the Circuit Court of the United States for said Eastern District of Arkansas.

Now therefor the condition of this obligation is such that if the above named Calvin C. Bliss shall prosecute his said appeal to effect and answer all damages and costs if he shall fail to make good his plea then this obligation shall be void otherwise the same shall be and remain in full force and virtue

Sealed and acknowledged delivered in presence of

Chas. P. Redmond Clerk.

Calvin C. Bliss [seal]

Asa Hodges [seal]

Filed May 15th 1869
Chas. P. Redmond
Clerk
United States of America.

Eastern District of Arkansas
Before me Charles F. Pidmond,
a clerk of the Circuit Court of the
United States, in and for the East-
ern District of Arkansas, per-
sonally appeared
who being duly sworn deposes
and says, that he is worth the
sum of, Twenty Thousand Dollars
or more Dollars, over and above
all his just debts and liabilities),
and in property not exempt from
sale on execution, or other legal
process.
Subscribed & sworn to before A. Hodges.
me this 15th day of May
1869.
Charles F. Pidmond
Clerk

United States of America
Eastern District of Arkansas
I Charles F. Pidmond, Clerk of the
Circuit Court of the United States,
for the Eastern District of Arkansas,

in the Eighth Circuit, hereby certify that the foregoing writing annexed to this certificate, is a true correct, and compared copy of the original Bond on file in my office

In witness whereof, I have hereunto set my hand and the seal of said Court this Seventeenth day of May, in the year of our Lord One thousand eight hundred and sixty-nine and of the Independence of the United States of America, the ninety third.

Attest: Chas. P. Redmond.
Clerk"

And having stated to the Court that the appellant had altogether failed to file the record of said cause in this Court, or in anyway to prosecute said appeal, Now here moved the Court in pursuance of the 9th rule of this Court, to have this appeal docketed and dismissed. On consideration whereof it is now here ordered adjudged and decreed by

this court that the appeal from the Circuit Court of the United States for the Eastern District of Arkansas, be, and the same is hereby docketed and dismissed with costs, and that this cause be, and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity to law and justice the said appeal notwithstanding.

per Mr Chief Justice Chase

Jacob D. Cox Secretary of the Interior vs. Hamilton a Citizen of the United States & ors. William McGarrahan

The motion to docket the order of the 13th December advancing this cause on the docket for argument, was argued by Mr J. Phillips in support of the same and by Mr Ashton in opposition thereto.

Tuesday January 18th 1870, continued

The Board of Trustees and Directors of the St Louis Public Schools.
24 vs: Plaintiff in error
David R. Risley et al

This cause was argued by Mr Dick, and Mr Blair of counsel for the plaintiff in error, and submitted on printed argument by Mr Gantt of counsel for the defendant in error.

Proclamation being made the Court is adjourned until tomorrow morning at 10 o'clock A.

Wednesday January 19th 1870.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P Chase, Chief Justice.

Robert C Grier
Nathan Clifford
Noah H Swayne
Samuel F Miller
David Davis, and
Stephen J Field
} Associate Justices.

Richard C. Parsons Esquire, Marshal.
Daniel Wesley Middleton, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr John Ordronaux it is ordered that F. M. Spier Esquire of New York City, State of New York, be admitted, to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Jacob D. Cox, Secretary of the Interior.
337. vs. Plaintiff in Error.
The United States ex. rel. William McGarahan.

The Chief Justice announced the decision of the Court overruling the motion of Mr Phillips in this Cause.

Jacob D. Cox, Secretary of the Interior
337. vs. Plaintiff in error.
The United States ex rel William McGarahan.

This cause was argued by Mr Asst Attorney General Hoar of Counsel for the plaintiff in error, and leave granted Mr Merriman to submit on printed argument in behalf of the defendant in error, to be filed on or before the 25th instant.

The Board of President and Directors of the St Louis Public Schools
28. vs. Plaintiffs in error
Mary Fritz et al

This cause was argued by Mr Dickinson, Mr Blair

of counsel for the plaintiff in error, and submitted on printed argument by Mr Gantt of counsel for the defendant in error.

The Board of President and Directors of the Saint Louis Public Schools.
vs. Plaintiffs in error.
Isaac Walker et al.

The argument of this cause was commenced by Mr Hair of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until tomorrow morning, eleven o'clock.

Thursday January 20th 1870

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase Chief Justice

Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis and
Stephen J. Field

Associate Justices.

Richard C. Parsons Esquire Marshal
Daniel Wesley Middleton Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr W. L. Stanley it is ordered that Michael Ryan Esquire of Alexandria State of Louisiana, be admitted to practice as an attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Hon S. Trumbull it is ordered that Robert N. Baskin Esquire of Salt Lake City Utah Territory, be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

On motion first made to the Court in this behalf by Hon B. R. Curtis it is ordered that John E. Parsons Esquire of New York City, State of New York, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

The Mayor of the Foundling
vs Plaintiff in Error
Edward S. Tracy Collr &c.
and
The Washington University
vs Plaintiff in Error
Edward S. Tracy Collr &c

On the motion of Mr B. R. Curtis it is ordered that leave be granted the Clerk to issue

the Mandate in these cases.

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29. The Board of President and Directors of the St Louis Public Schools. vs. Isaac Walker et al.

The argument of this cause was ended by Mr Blair of counsel for the plaintiff in error, by Mr Todd of counsel for the defendant in error, and concluded by Mr Dick of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Friday January 21st 1870.

Pursuant to adjournment the Court met this morning at the Capitol.

Present:

The Honorable Salmon P Chase Chief Justice.

Robert C Grier
Nathan Clifford
Noah H Swayne
Samuel F Miller
David Davis
Stephen J Field

Special Justices

Parker C Parsons Esquire Marshal.

Jerris Wesley Bradshaw Clerk.

Proclamation being made the Court is opened.

Motion first made to the Court in this behalf by Wm C C Sandidge it is ordered that Freeman J Fellman Esquire of New York City State of New York, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Hon. H. H. Sayer, it is ordered that Charles E. Conners Esquire of New York City. State of New York be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

	The United States	On motion of the
340	vs. Appellant	Attorney General with
	Henry Swearinger	the consent of Counsel
	The United States	set for the respective
357	vs. Appellant	Attorneys in these
	Nelson Anderson	cases. It is now
	The United States	here ordered by the
359	vs. Appellant	Court that these
	Morris Kohn	Causes be advanced
	The United States	on the docket
340	vs Appellant	for argument and
	Haddock Stanton &c	that they be heard
	and	on the 7th day of
	The United States	February next.
341	vs. Appellant	It is also ordered
	William Pollard	by the Court

on the motion of the Attorney General that Nos. 359. 370. and 390. be argued together as one case. and these 387. and 391. in the same manner.

William Clark and Lester D. Fuller. 1173 Vs. Appellants.
George F. McLellan and Robert P. Dodge.

Mr Kennedy and Mr Webb of counsel for the appellants having filed and read in open court, the following certificate to wit:

"In the Supreme Court of the District of Columbia. January 20. 1870.

George F. McLellan and Robert P. Dodge.
vs.
James P. Rogers, William A. Bell, Bishop Cooper, Marcus Adams &c. Lester D. Fuller, Thomas F. Morgan, and Geo. P. Rhinehart.
} 1992 Equity Docket.

Friday January 21st 1870. continued.

I R. J. Meigs Clerk of the said Court, hereby certify that on the 6th day of March 1869. the said Court in General Term passed an order allowing the defendants William Clark and Leslie L. Fuller, an appeal from decree of said Court in General Term passed February 26th 1869. to the Supreme Court of the United States, and fixing the bonds at $15,000. and that on the 17th day of April 1869. an appeal to the Supreme Court of the United States, was entered, on behalf of Defendants from the order dismissing motion for appeal to the said Court in General Term. -

In testimony whereof I hereto subscribe my name and affix the seal of said Court this twenty-eighth day of January 1870.

R. J. Meigs
Clerk."

Seal.

and having stated to the Court that the appellants had altogether

failed to file the record of said cause in this Court, or in anyway to prosecute said appeal - now here moved the Court, in pursuance of the 9th rule of this Court, to have this appeal docketed and dismissed. On consideration whereof, it is now here ordered adjudged and decreed by this Court, that this appeal from the Supreme Court, of the District of Columbia, be, and the same is hereby docketed and dismissed with costs. And that this cause be, and the same is hereby remanded to the said Supreme Court for further proceedings to be had therein, in conformity to law and justice, this said appeal notwithstanding.

per Mr Chief Justice Chase.

Thomas Fitzpatrick, Plaintiff in error
vs
James H. Alexander

Mr Thomas Wilson of Counsel for the defendant in error, having filed and read in open Court the

following certificate to wit:

"James M. Menander vs. Thomas Fitzpatrick	In the Circuit Court of the United States for the Dis-

trict of West Tennessee.

I, Abram S. Mitchell, Clerk of said Court do certify that in the above named cause in said Court, at the March Term 1858, thereof, to wit: on the 15th day of April 1858, the said plaintiff James M. Menander by the judgment of said Court recovered a judgment against the defendant Thomas Fitzpatrick for the sum of Five Thousand Nine hundred dollars and Costs of suit.

That a motion for a new trial was made by defendant and overruled, at the same term; that the defendant tendered a bill of exceptions which was signed and sealed and made

failed to file the record of said cause in this Court, or in anyway to prosecute said appeal now here moved the Court, in pursuance of the 9th Rule of this Court, to have this appeal docketed and dismissed. On consideration whereof, it is now here ordered adjudged and decreed by this Court, that this appeal from the Supreme Court of the District of Columbia, be, and the same is hereby docketed and dismissed with costs. And that this cause be, and the same is hereby remanded to the said Supreme Court for further proceedings to be had therein in conformity to law and justice, the said appeal notwithstanding.

per Mr Chief Justice Chase.

Thomas Fitzpatrick
vs
Jeremiah H. Alexander

Jan 21st

Plaintiff in error

Mr Thomas Wilson of Counsel for the defendant in error, having filed and read in open Court the

following certificate to wit:

"James M. Meranda	In the Circuit
vs.	Court of the
Thomas Fitzpatrick	United States
	for the Dis-

trict of West Tennessee.

I, Abram S Mitchell, Clerk of said Court do certify that in the above named cause in said Court, at the March Term 1858, thereof, to wit: on the 13th day of April 1858, the said plaintiff James M. Meander by the judgment of said Court recovered a judgment against the defendant Thomas Fitzpatrick, for the sum of Five Thousand Nine hundred dollars and costs of suit.

That a motion for a new trial was made by defendant and overruled, at the same term; that the defendant tendered a bill of exceptions which was signed and sealed and made

a part of the record, and that said defendant Fitzpatrick, sued out from said Court, a writ of error, to the Supreme Court of the United States, which was duly allowed, in this cause, on the 18th day of April A. D. 1869.

In witness whereof, I have hereunto set my hand and affixed the seal of said Circuit at Memphis Tenn, December 18th 1869.

A. S. Mitchell.
Clerk

(seal)

and having stated to the Court that the plaintiff in error, had altogether failed to file the record of said cause in this Court, or in anyway to prosecute said writ of error - Now hereupon the Court in pursuance of the 9th rule of this Court to have this writ of error docketed and dismissed - On consideration whereof, it is now here ordered and adjudged by this Court that this writ of error from the Circuit

Court of the United States for the Western District of Tennessee, be and the same is hereby dockted and dismissed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein, in conformity to law and justice, the said writ of error notwithstanding.

Per Mr Chief Justice Chase

Henry Amy
Plaintiff in Error
vs.
John Buntin Defendant

Mr James Grant of Counsel for the Plaintiff in error having filed and read in open Court, a suggestion of a diminution of the record in this case in the words and figures following to wit:

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"In copying the record, the Clerk has omitted the proceedings in the Mandamus cause, and the record thereof is

necessary in this cause, to show that the same defence was made in the Mandamus as in this cause"

By reason of which omissions and Errors aforesaid, the said Counsel now here moved the Court, to award a writ of certiorari, to be directed to the Judges of the Circuit Court of the United States, for the District of Iowa, commanding them that searching the record and proceedings of said Court in this cause, they shall certify to this Court under the seal of the said Circuit Court, whatever omissions and errors shall be found. On consideration whereof, it is now here ordered and adjudged by this Court, that a writ of certiorari be, and the same is hereby awarded to be issued forthwith, and to be directed to the Judges of the said Circuit Court, commanding them that searching the record and

proceedings aforesaid, they forthwith certify to this court, under the seal of the said Circuit Court, whatever omissions and errors shall be found in this cause, and return the same with the said writ of certiorari forthwith to this court.

per Mr Chief Justice Chase.

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32. Wm Bedell Libellant and Appellant, vs. The Steamship "Potomac" &c.

The argument of the motion for leave to amend record by filing new evidence in this cause was commenced by Mr Benedict in support of the same, continued by Mr Curtis in opposition thereto, and concluded by Mr Benedict in favor of said motion. On consideration whereof, it is now here ordered by the court that said motion be, and the same is hereby, overruled.

Johannes Jeeter et al, heirs of Peter Yager dec'd Plaintiffs in Error.
vs
Deans Mayer, admr. et al

Wm Blair in behalf of Messrs Beck and Porter suggests the death of Jane Yager, widow of Peter Yager deceased, one of the defendants in error in this cause, and moved the court for leave to enter the appearance of the heirs and representatives of said Jane Yager deceased as the parties defendants in error in this cause, viz:

"1st Her Sister Elizabeth Sayers now deceased, leaving as heirs Jane C. Sayers, William Sayers, and Jane Dickinson, wife of John Dickinson (see affd. of Sallie C. Adams)

2nd " The Children of her brother Andrew Evans, (name not known to Sallie C. Adams.)

3rd " The children of her brother James Evans, who are James Evans, Harriet Davis, wife of George Davis, and Edwin F. Evans -

H. William Gooch

5 Ann E. Cravens, Sally C. Adams, and Mariella Cravens.

6. Children of Martha Cravens. (who are Margaret Cravens Jerry Cravens, and Thomas Cravens.

7 Her Nephew Dean McMurgo who is residuary legatee and devisee of all her real and personal estate.

In consideration whereof, it is now here ordered by the Court that the appearance of the said heirs and representatives as aforesaid be entered as the defendants in error in this cause, and that the said heirs &c. be and they are hereby made the parties defendants in error in this cause.

The Board of President and Directors of the St. Louis Public Schools.
29 vs. Plaintiffs in error
Isaac Walker et al

The argument of this cause was concluded by Mr Dick of counsel for the plaintiff in error.

Friday January 21st 1870 Continued

Holl & Bodell Libellants
vs. Appellants
The Steamship "Potomac" &c.

The argument of this cause was commenced by Mr C. C. Benedict of counsel for the appellant - Continued by Mr B. R. Curtis of counsel for the appellees, and concluded by Mr Benedict for the appellant.

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61. The Steamboat "Joseph Johnson"
vs. Appellant
Irwin McCord et al. Appellees

The motion to dismiss this cause was argued by Mr Benedict in support of the same, and by Mr Pilsbury in opposition thereto. On consideration whereof, it is now here ordered by the Court that the said motion be, and the same is hereby overruled.

Proclamation being made the court is adjourned until Monday morning next at eleven o'clock

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Monday January 24th 1870.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase, Chief Justice.
Samuel Nelson
Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
} Associate Justices

Richard C. Parsons Esquire, Marshal.
Daniel Ashley Middleton, Clerk

Proclamation being made, the Court is opened.

Joseph C. Willard, Appellant
vs.
Benjamin C. Taylor.

Appeal from the Supreme Court of the District of Columbia.

This cause came on to be heard on the transcript of the record,

from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof, it is now here ordered adjudged and decreed by this Court, that the decree of the said Supreme Court in this cause be, and the same is hereby, reversed. And that this cause be, and the same is hereby remanded to the said Supreme Court with directions to enter a decree for the execution of a conveyance of the premises with warranty, by the defendant to the complainant subject to the yearly ground rent specified in the covenant in the lease, upon the payment by the latter of the instalments past due, with legal interest thereon, in gold coin of the United States, and executing a trust deed of the premises to the defendant as security for the payment of the remaining instalments, as they respectively become due, with

legal interest thereon in like gold coin. The amounts to be paid, and secured to be stated by a master. And it is further decreed that the costs be paid by the complainant.

per Mr Justice Field.

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8 Michael Reese
Plaintiff in error.
vs.
The United States

Error to the Circuit Court of the United States for the District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of California, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed. And that this cause be, and the same is hereby remanded to the said Circuit Court, with directions,

to award a new trial in conformity with the opinion of this Court.

per Mr Justice Field.

Emily F. Filor and William Pinkney, administrators of James Filor deceased, William Pinkney, and William Curry. 80. vs. Appellants / The United States. | Appeal from the United States Court of Claims.

This cause came on to be heard, on the transcript of the record from the United States Court of Claims, and was argued by Counsel. On consideration whereof, it is now here ordered adjudged and decreed by this Court that the decree of the said Court of Claims in this cause be, and the same is hereby affirmed.

per Mr Justice Field.

	Edward P. Bassett and E. H. Harger Plaintiffs in error.	In error to the Circuit Court of the United States for the Northern District of Ohio
21.	vs.	
	The United States.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Ohio, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed.

Per Mr Justice Miller.

	Richard K. Mugoon	In error to the
92.	vs. Plaintiff in Error.	Circuit Court
	Samuel H. Scales.	of the United
		States for the

District of Wisconsin

This Cause came on to be heard on

the transcript of the record from the Circuit Court of the United States for the District of Wisconsin, and was argued by Counsel. On consideration whereof, it is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause, be, and the same is hereby affirmed with costs. per Mr Justice Miller.

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75. James Kickman vs. Plaintiff in error. Edward C Bell, Thomas S. McCalley, et al. | In error to the District Court of the United States for the Northern District of Alabama.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of Alabama, and was argued by Counsel. On consideration whereof, it is now here ordered and adjudged by this

Court that the judgment of the said District Court, in this cause, be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said District Court with directions to award a venire facias de novo. per Mr Justice Swayne.

The United States
& rel Henry Amy.
Plaintiff in Error.
vs.
The Mayor & Aldermen
of the City of Burlington.

In error to the Circuit Court of the United States for the District of Iowa.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Iowa, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause

be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court, for further proceedings to be had therein, in conformity with the opinion of this Court.

per Mr Justice Swayne

The United States
& use Edwd H. Sawyer
Plaintiff in Error
95. vs
The Mayor &c. Aldermen of the City of Burlington

In error to the Circuit Court of the United States for the District of Iowa.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Iowa, and was argued by Counsel - On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said

Circuit Court in this cause be, and the same is hereby reversed with costs. And that this cause be and the same is hereby remanded to the said Circuit Court, for further proceedings to be had therein in conformity with the opinion of this Court.

Per Mr Justice Swayne

The New Orleans and Bayou Sara Mail Company.
vs
Anthony Fernandez and B. F. Flanders.

Appeal from the Circuit Court of the United States for the Eastern District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana and was argued by Counsel. On consideration whereof, it is now here ordered adjudged and decreed by this Court

that the decree of the said Circuit Court in this cause, be, and the same is hereby affirmed with costs, and that this cause, be, and the same is hereby remanded to the Circuit Court of the United States for the District of Louisiana.

Per Mr Justice Clifford.

Isaac N. Swain vs. Stephen D. Summers, Catharine M. Stephens and E. F. Wheeling	Appeal from the Circuit Court of the United States for the Dis. Court of Wis.

Consind.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Wisconsin, and was argued by counsel. On consideration whereof, it is now here ordered

adjudged and decreed by this Court, that the decree of the said Circuit Court, in this cause be, and the same is hereby affirmed with costs

per Mr Justice Clifford.

Julius Hornthall and Meander Kuhn, as J. Hornthall & Co.
100. vs. Appellants.
Martin Keary Collector of Internal Revenue &c.

Appeal from the Circuit Court of the United States for the South ern District of Mississippi.

This Cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Mississippi, and was argued by Counsel - On consideration whereof, it is now here ordered adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause be, and the same is hereby reversed. And that this Cause be, and the same

is hereby remanded to the said Circuit Court, with directions to dismiss the bill of complaint without costs.

per Mr Justice Clifford.

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85. The United States vs. Plaintiffs / Henry C. Smith Anson Smith Alben Darrow, and Francis V. Darrow. Defendants / On a certificate of division in opinion between the Judges of the Circuit Court of the United States for the Northern District of Ohio.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Ohio, and on the point or question on which the judges of the said Circuit Court were opposed in opinion, and which was certified to this Court for its opinion agreeably to the act of Congress, in such case made and provided, and was

argued by Counsel. On consideration whereof, it is the opinion of this Court, in answer to the question certified, that the defendants are not so liable as principals or sureties on the bond in question. Whereupon it is now here ordered adjudged and decreed by this Court that it be so certified to the said Circuit Court.

See Mr Justice Grier.

Order of Court

The Chief Justice announced to the bar that no case would be called for argument after Wednesday next, until Monday the 31st inst. but that motions would be heard on Friday as usual

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33. John E. Neale vs. Appellant, Benj. J. Neale dec'd

The argument of this cause was commenced by Mr Davidge of Counsel for the appellant, and continued by Mr Webb for the appellee

Proclamation being made the Court was adjourned until tomorrow morning at Eleven o'clock.

Tuesday January 25th 1870.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase Chief Justice.

Samuel Nelson	
Robert C Grier	
Nathan Clifford	Associate
Noah H Swayne	Justices
Samuel F. Miller	
David Davis	
Stephen J. Field	

Richard C Parsons Esquire Marshal
Daniel Foley Middleton Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon S. F. Curtis, it is ordered that Samuel T. Douglass Esquire of the State of Michigan be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Hon James R. Doolittle it is ordered that John H. Shober and Samuel J. Beck Esquires of Helena and Edward F. Phelps Esquire of Bannock Montana Territory, be admitted to practice as attorneys and counsellors of this court and they were sworn accordingly.

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287 Farley I. Hewitt, Plaintiff in Error vs. D. J. Miller and William Van Doren | In error to the Circuit Court of the United States for the Southern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Illinois and on the motion of Mr F. Phillips (on behalf of Counsel for the Plaintiff in error,) it is now here ordered and adjudged by this Court that this writ of error be, and

the same is hereby dismissed with costs. per Mr Chief Justice Chase.

33	John C. Neale vs. Appellant, Benj. J. Neale Ret.	The argument of this cause was continued by Mr Webb, and Mr Kennedy of counsel for the appellees, and concluded by Mr P. Phillips of counsel for the appellant.

332.	James S. Watkins, survivor &c vs Plaintiffs in Error. Simpson Etell, administrator.	This cause was submitted to the

consideration of the Court on the record and printed argument by Mr Hines of counsel for the plaintiff in error and by Mr McRae for the defendant in error

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Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Wednesday January 26th 1870

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase Chief Justice

Samuel Nelson
Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
} Associate Justices

Richard C. Parsons Esquire Marshal.

Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. S. H. Ashley it is ordered that George Paysen Esquire of Chicago State of Illinois be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the court in this behalf by Hon Wm M. Evarts, it is ordered that T. E. Stillman Esqre of New York City, State of New York, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

The Steamtug "Admiral Farragut" &c Wood, and Jane Albertson Claimants.

311 vs. Appellants.

The Barge "J Norman, Richard Sutliff owner and Jamie Strickland owner of the cargo of said Barge, and The Penn Ins. Co.

Appeal from the Circuit Court of the United States for the Eastern District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania, and on the stipulation of

Counsel for the respective parties on file, and motion of Mr Carlisle it is now here ordered adjudged and decreed by this Court that this appeal be, and the same is hereby dismissed with costs.

per Mr Chief Justice Chase.

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35. The Providence Rubber Co. vs Charles Seelyer, adm'r al. Appellant.

The argument of this cause was commenced by Mr H. Payne of counsel for the appellant, continued by Mr Wm. C. Cuntis, and Mr Stoughton of counsel for the appellees, and concluded by Mr Cushing of counsel for the appellants.

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37. The Steamboat "James Guy" William J. Healy Claimant - vs. Young Tall. Plaintiff in Error

The argument of this cause was commenced by Mr

Ends of counsel for the plaintiff in error continued by Mr W. H Goodrich and Mr C. Hornitz of counsel for the defendant in error.

Proclamation being made the Court is adjourned until Friday morning next at eleven o'clock.

Friday January 28th 1870.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase, Chief Justice.
Samuel Nelson
Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
Associate Justices

Richard C. Parsons Esquire Marshal
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr James McCandlish, it is ordered, that Edwin M. Holbrook Esquire of Ogdensburgh State of New York, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

The Justices of the Supreme Court of New York 3rd Judicial District.

12 vs Plaintiffs in error.
The United States ex rel.
Robt Murray & Wm Buckley.

On motion of the Attorney General, it is now here ordered by the Court, that this cause be, and the same is hereby set down for argument on Wednesday the 15th day of February next.

John Kimball, admr
of John A Gilmore (dec'd)
67 vs Plaintiff in error
John L. Goodrich

On motion of Mr Attorney General Hoar with the consent of Mr Cushing of counsel for the plaintiff in error - it is now here ordered by the Court that this cause be, and the same is hereby continued to the next term of this Court.

Joseph C Willard
11 vs Appellant
Benjamin Taylor

On motion of Mr Curtis it is now here ordered

by the court that the Clerk have leave to issue the mandate in this cause during the present term.

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252. The City of Chicago vs. William C. Sheldon. Appellant

This cause was submitted to the consideration of the Court on the record and printed argument by Mr M. F. Tuley of Counsel for the appellant, and by Mr. P. R. Curtis, and Mr W. C. Goudy of Counsel for the appellee.

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311. The Steamtug "Adm'l Farragut" vs. The Barge "S. Newman" &c. Appellant

On motion of Mr Curtis in behalf of Mr Kane of counsel for the appellants - it is now here ordered by the court that the Clerk have leave to issue the mandate in this cause during the present term.

The State of Texas.
In 4 Writs. vs Complainant.
Jno. White, John Chilcoat.

It is now here ordered by the Court that the motion of Mr Hughes for a rehearing of this cause, as to John Chiles, and George W. Stewart, be, and the same is hereby overruled.

The State of Texas
4 writs vs Complainant
Jno. White John Chilcoat

On the motion of Mr Paschal it is now here ordered by the Court that the report of special master R. H. Taylor, now on the files of this Court, be, and the same are hereby confirmed.

The State of Texas.
10 writs vs Complainant.
Jno. Purdy & Co. et al.

On motion of Mr Paschal it is now here ordered by the court that leave be, and the same is hereby granted to correct the error in the date of the return of the subpena

issued in this cause.

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93. The United States ex-rel. Thomas Bulz. vs. Plaintiff in error. The Mayor and Aldermen of the City of Muscatine.

On the motion of Mr Grant it is now here ordered by the Court that the Clerk have leave to issue the mandate in this cause during the present term.

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33. Jacob D. Cox Secretary of the Interior vs. Plaintiff in Error Use'd &c. Wm. M. Curtahan.

Mr Merriman filed an addition to the record in this cause with the consent of the Attorney General and leave of the Court.

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29. Frances Board vs Appellant. Edmund Miller, John F. Miller, John M Shirey, Lemuel Shirey his wife and Mary Sanford

Appeal from the Circuit Court of the United States for the District of Virginia

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Virginia, and on the stipulation of the respective parties on file, and motion of Mr Carlisle, it is now here ordered adjudged and decreed by this Court, that this appeal be, and the same is hereby dismissed with costs. per Mr Chief Jus. Chase.

174	William N. McVeigh vs. Plaintiff in Error The United States.	Mr Hughes filed motion to amend the writ of error in this cause.

174	William N. McVeigh vs. Plaintiff in Error The United States.	The motion to dismiss this cause for defect in writ of error, was argued by Mr Asst Atty Genl Field in support of the same and by Mr Cushing in opposition thereto.

Proclamation being made, the Court is adjourned until Monday Morning next, at Eleven o'clock.

Monday January 31st 1870.

Pursuant to adjournment the Court met this morning at the Capitol.

Present -

The Honorable Salmon P. Chase, Chief Justice.

Samuel Nelson
Robert C. Grier
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis (Abs)
Stephen J. Field

Associate Justices

Richard C. Parsons Esquire Marshal
Daniel Henry Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr J. P. Usher it is ordered that Selon B. Thatcher Esquire of Lawrence State of Kansas be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Hon C. Cole it is ordered that James F Hoyt Esquire of San Francisco, State of California be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. P. J. Merrick it is ordered that William C. Reynolds Esquire of Chicago State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

244	Henry Dirkman vs Plaintiff in error. Charles E. Stifel.	In error to the Supreme Court of the State of Missouri.

This cause came on to be heard on the transcript of the record from the Supreme Court of the

State of Missouri, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court, that the judgment of the said Supreme Court in this cause, be, and the same is hereby affirmed with costs.

per Mr Justice Swayne

17	Samuel C Morgan vs. The Town of Detroit, Simon Pease, A.P. Peck, Asahel Henderson, John L Potter, William Strawson J. Chamberlain, E.F. Yates, and Joseph Bennett.	Appeal from the Circuit Court of the United States for the District of Wisconsin

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Wisconsin, and was argued by counsel. On consideration whereof, the Court being equally divided in opinion, it

is now here ordered, adjudged, and decreed by this Court, that the decree of the said Circuit Court in this Cause be, and the same is hereby affirmed with Costs.

By a divided Court.

19	Francis P. Blair Jr. vs. John S. Thompson & Hiram Ridgely, Plaintiff in error,	In error to the Supreme Court of the State of Missouri.

This Cause came on to be heard on the transcript of the record from the Supreme Court of the State of Missouri, and was argued by Counsel. On consideration whereof the Court being equally divided in opinion it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this Cause be, and the same is hereby affirmed, with Costs.

By a divided Court.

49.	The United States Plaintiff in error. vs. Charles Marr, Samuel H. Holladay and Jr. F. Sharp.	In error to the Circuit Court of the United States for the District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of California and was argued by counsel. On consideration whereof the Court being equally divided in opinion, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed.

By a divided Court.

179.	William N. McVeigh vs. The United States.	Plaintiff in Error	On consideration of the motion filed by Mr Asst. Attorney General Field to dismiss

this writ of error, and of the arguments of counsel thereupon had, as well in support of, as against the same, it is now here ordered by the Court, that the said motion be, and the same is hereby overruled.

Per Mr Chief Jus. Chase.

Alex.r Y. P. Garnett
Clmt of certain real estate.
98 vs. Plaintiff in Error
The United States

Alex.r Y. P. Garnett
Clmt of certain Personal property
99 vs. Plaintiff in error.
The United States

and

William N. McVeigh
179 vs. Plaintiff in error.
The United States.

The argument of these cases was commenced by Mr B. R. Curtis of counsel for the Plaintiff in error and continued by Mr Asst Atto Genl Field of counsel for the defendant in error.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Tuesday February 1st 1870.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P Chase, Chief Justice.
Samuel Nelson
Nathan Clifford
Noah H Swayne
Samuel F. Miller
David Davis
Stephen J. Field
Associate Justices

Richard C. Parsons, Esquire Marshal.
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

(On the opening of the Court, the Chief) Justice remarked that "Yesterday was the last day of the service of our brother Grier in this Court. We all regretted the infirmities which constrained his resignation. Upon the adjournment of the Court, his brethren waited upon him in a body and offered their assurances

of gratitude for his services, veneration for his character, and best wishes for his happiness, in written form. He has replied to that communication this morning. The court without reading the papers will order that both be entered on the minutes. as follows:

Supreme Court Room.
Washington January 31. 1870.

Dear Brother.

Your term of judicial service, as a justice of the Supreme Court of the United States, will close to day by your resignation. We cannot permit an event so interesting to pass, without expressing to you something of the feeling which it excites in us, for some of us have been long associated with you, and through the association of others has been for briefer periods we all honor and love you.

Almost a quarter

of a century ago, you brought to the bar of the court, a mind of great original vigor, endowed with singular powers of apprehension and discrimination; enriched by profound knowledge, and prepared for the new work before you by large experience in a tribunal of which you were the sole judge.

Already you possessed the esteem, the respect, and the entire confidence of the bar, and the suitors who frequented your court, and of the people among whom you administered justice.

Transferred to a more conspicuous position, you won larger honors. The sentiments of the profession, and of the people, and of a single city and state became the sentiments of the American bar, and of the whole country.

We who have been nearest to you, best know how

called is your life to this consideration and affection. With an almost intuitive perception of the right, with an energetic detestation of wrong, with a positive enthusiasm for justice, with a broad and comprehensive understanding of legal and equitable principles, you have ever contributed your full share to the discussion and settlement of the numerous and often perplexing questions which duty has required us to investigate and determine.

This and we gratefully acknowledge, and can never forget. Nor can we ever cease to remember the considerate magnanimity with which you have often recalled or modified expressions of which your own reflections have disapproved as likely to wound unnecessarily the sensibilities of your brethren of the bench or the bar.

Your eminent services

as a judge Command our respect and gratitude; your magnanimity and Kindness as a man in our official and personal intercourse have drawn to you, irresistibly, our veneration and love.

We deeply lament that infirmities incident to advancing years constrain you to retire from the post you have so long and so honorably filled. But though you will no longer actually participate in our labors here, we trust that you will still be with us in spirit and sympathy. We shall still seek aid from your counsels; we shall still look for gratification from your society. May you live many years to give us both. May every earthly blessing cheer, and the assured hope of a blessed immortality through Christ our Savior, brighten each year with ever increasing radiance.

With warm affection and
profound respect we remain.
Your Brethren of the Bench.
(Signed) Salmon P. Chase, Chief Justice.
(.) Samuel Nelson. Asso. Jus. Sup Court.
(.) Nathan Clifford Asso. Jus. Sup. Court.
(.) N. H. Swayne Asso. Jus. Sup. Court.
(.) Sam. F. Miller, Asso. Jus. Sup. Court.
(.) David Davis. Asso. Jus. Sup. Court.
(.) Stephen J. Field Associate Justice.

Hon. R. C. Grier,
Associate Justice,
Sup. Court U. States.

Mr Justice Grier, replied as follows:
Washington
February 1st 1870.

My Dear Brethren,

Your letter
read to me by the Chief Justice last
evening, quite overcame me, and
I could then make no reply - I
promised to respond in writing.-
My pen ever more

cannot express the profound emotions it awakened. Sentiments of esteem and affection towards each one of you: sentiments of regret not unmingled I trust with resignation that increasing infirmities have compelled our separation; and sentiments of gratitude, for such a testimonial from my brethren at the close of my long term of service.

In my home in Pennsylvania, whether life be long or short, you may rest assured I shall always cherish for each of you warm affection and sympathy.

That God's blessing may rest upon the Supreme Court of the United States, and upon each of its members, is the fervent prayer of your late

Associate and Brother
Signed, S. C. Grier.

On motion first made to the Court

in this behalf by Hon. Geo. I. Edmunds it is ordered that William Henry Pancoast Esquire of Philadelphia State of Pennsylvania be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

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51 Henry Pilhaus vs. Plaintiff, David G. Rose et al. | Mr. Carlisle in behalf of counsel having suggested the death of David G. Rose one of the defendants in this cause. Mr Coburn of counsel for the plaintiff filed the appearance of M. V. Sangodale administrator of said David G. Rose deceased. On consideration whereof, it is now here ordered by the Court, that the appearance of the said administrator, as aforesaid, be and he is hereby entered as one of the defendants in this cause with liberty to defend this suit.

Tuesday February 1st 1870. Continued.

51 Henry Pelham vs. Plaintiff Gurdon S. Rose Def.

This cause was submitted to the consideration of the Court on the record and printed argument by Mr Coburn of Counsel for the plaintiff and by Mr Niles of Counsel for the defendant.

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331 John Gut - Plaintiff in Error vs. The State of Minnesota.

This cause was submitted to the consideration of the Court on the record and printed argument by Mr Wilson of Counsel for the plaintiff in error and by Mr Cornell of Counsel for the defendant in error.

Tuesday February 1st 1870 Continued

Mex. Y. P. Garnett Unl of certain real estate 98 vs. Plaintiff in error The United States	The argument of these cases was Continued by Mr Attorney General Hoar of counsel for the defendant in error, and Concluded by Mr Cushing of counsel for the Plaintiff in error.
Mex. Y. P. Garnett Unl of certain Personal property 99 vs Plaintiff in Error Same and William N. McVeigh 179 vs Plaintiff in error Same	

Samuel Miller Exr. &c. 127 vs Plaintiff in Error The United States	The argument of this cause was commenced by Mr Wells of Counsel for the Plaintiff in error.

On Motion being made the Court is adjourned until tomorrow morning at eleven oclock.

Wednesday February 2nd 1870.

Pursuant to adjournment the Court met this morning at the Capitol

Present.

The Honorable Salmon P. Chase Chief Justice
Samuel Nelson
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
} Associate Justices.

Richard C. Parsons Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon S. F. Miller it is ordered that John H. Hagg Esquire of Bennington State of Vermont, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

The United States 360 vs. Appellant Asher Ayers.	Mr Hughes of counsel for the appellee filed motion to dismiss this appeal.

Samuel Miller &c. &c. 127 vs. Plaintiff in error The United States.	The argument of this cause was continued by Mr Edmunds and Mr Attorney General Hoar of counsel for the defendant in error, and concluded by Mr Douglass of counsel for the plaintiff in error.

The Burlington &c. Mfg. Co. River R.R. Co. 30 vs. Plaintiff in Error, Mills County Iowa.	This cause was submitted on printed record by Mr Rorer of counsel for the plaintiff in error, and by Mr Ewing for the defendant in error to abide the decision in No. 401.

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42. The Steamboat Thomas Fisher &c. The Madison County Coal Company. Claimants. Appellants. vs. The Illinois River Packet Company.

Appeal from the Circuit Court of the United States for the District of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Missouri, and it appearing to the Court that this is the second term at which this case has been called for argument, and that neither party is now prepared to argue the same it is considered by the Court that this cause should be dismissed at the costs of the appellant, pursuant to the 19th rule of this Court. Whereupon it is now here ordered adjudged and decreed by this

Court that this appeal be and the same is hereby dismissed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court to be proceeded in according to law and justice.

per Mr Chief Justice Chase.

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113 John Graham vs. The United States. Appellant

Ordered by the Court that this cause be, and the same is hereby continued to the next term (with consent of counsel for the respective parties.)

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116 Richard C Gray vs. The Chicago Iowa and Nebraska Rail road Company et al. Appellant

Ordered by the Court that this cause be, and the same is hereby postponed to the foot of the docket. (per stipulation of counsel)

Wednesday February 2nd A.D. 1870 continued.

Johannes Jacker et al, heirs of Peter Yager.	The argument of this Cause was Commenced
46. vs Plaintiffs in error	by Mr McC
Dean Mayer adm^r et al.	

Pierson of counsel for the plaintiff in error and continued by Mr Blair of counsel for the defendant in error.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Thursday February 3rd 1870.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase, Chief Justice.

Samuel Nelson
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
} Associate Justices.

Richard C. Parsons, Esquire Marshal.

Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon. C. D. Drake, it is ordered that David P. Dyer Esquire of Louisiana State of Missouri be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Thursday February 3rd 1820. continued

	Geo. H. Matthews, admr. of Warren Woodson (decasd.) vs. Plaintiff in error The State of Missouri ex rel. The Atto. General.	In error to the Supreme Court of the State of Missouri.
23		

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Missouri, and on the motion of Mr Blair of counsel for the plaintiff in error, it is now here ordered and adjudged by this Court, that this writ of error, &c, and the same is hereby dismissed with costs.

Mr Chief Jus. Chase.

	Johannes Jacke et al heirs of Peter Yager. vs. Plaintiffs in error Dean Mayer, admr. et al.	The argument of this cause was concluded by
46		

Mr Carlisle of Counsel for the plaintiffs in error.

118	The United States vs. Antonia Rocha et al. Appellant	The argument of this cause was commenced by Mr R. J. Brent of Counsel for the Appellant, continued by Mr Cole of counsel for the appellees, and concluded by Mr Wells of counsel for the appellant.

53	Benjamin H Chaver vs. Jesse B. Wilson et al Appellant,	This cause was argued by Mr Boyce of Counsel for the appellant, and by Mr Coe of counsel for the appellee.

311	William P Clyde &c. vs Plaintiffs in Error. William S. Graver.	In error to the Supreme Court of the State of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Pennsylvania, and it appearing

to the Court that this is the second term at which this case has been called for argument, and that no. this party is now prepared to argue the same, it is considered by the Court that this cause should be dismissed at the cost of the plaintiff in error, pursuant to the 16th rule of this Court. Whereupon it is now here ordered and adjudged by this Court, that this writ of error, be, and the same is hereby dismissed with costs - and that this cause be, and the same is hereby remanded to the said Supreme Court to be proceeded in according to law and justice.

per Mr Chief Justice Chase

The Barque "American Union". N. Cand H. J. Winslow. Claimants - Appellants.

vs.

Asa E. Curtis.

Appeal from the Circuit Court of the United

States for the Northern District of Illinois

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and it appearing to the Court that this is the second term at which this case has been called for argument, and that neither party is now prepared to argue the same it is considered by the Court that this cause should be dismissed at the costs of the appellant, pursuant to the 16th rule of this Court. Whereupon it is now here ordered adjudged and decreed by this Court that this appeal be, and the same is hereby dismissed with costs. And that this cause be and the same is hereby remanded to the said Circuit Court to be proceeded in according to law and justice. Per Mr C.J. Chase.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock

Friday February 4th 1870.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P Chase. Chief Justice

Samuel Nelson
Nathan Clifford
Noah H Swayne
Samuel F Miller
David Davis &
Stephen J. Field.

} Associate Justices.

Richard C. Parsons, Esquire, Marshal
Daniel Tilley Middleton Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr James M Carlisle it is ordered that Henry S. Blake Esquire of Virginia City Montana Territory, be admitted to practice as an attorney and Counsellor of this court and he was sworn accordingly.

On motion first made to the Court in this behalf by Hon A.G Thurman, it is ordered that Charles H. Seymour Esquire of Nebraska City, State of Nebraska, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

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344. John V. McCollum & al. vs Mark Howard et al Appellants

The argument of the motion to dismiss this cause was commenced by Mr Grant in support of the same continued by Mr Fuller and Mr Welsh on in opposition thereto, and concluded by Mr Grant in favor of the motion.

U.S. ex rel Henry Amy vs Plaintiff in error The Mayor &c. of the City of Burlington

On the motion of Mr Grant it is ordered by the Court

	and The U.S. ex rel Edward H Learned. vs. Plaintiff in error The Mayor &c. of the City of Burlington.	that leave be granted the Clerk to issue the mandate in this Cause

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	Ex parte Mark Fawcett et al Original.... Petitioners.	On the motion of Mr. Grant of

Counsel for the petitioner - it is ordered by the court that leave be granted him to amend the alternative writ of Mandamus issued in this Cause.

	The City of Chicago vs. Appellant Samuel Nicholson	On the motions of Mr. Merrick it is ordered

by the court that leave be granted the Clerk to issue the mandate in this Cause.

The United States, Appellants.
126 U.S.
Francisco Higuera,
& Secundino Higuera.

Mr Cole of Counsel for the appellees having filed and read in open court the following certificate to wit.

"District Court of the United States.
For the District of California.

Francisco Higuera and Secundino Higuera vs. The United States. Claimants. } Land Com. No 409; S. Dist Com. No. 131; Rancho Rincon de los Bueyes.

I George C. Whitney, Clerk of the Circuit Court of the United States for the District of California, and ex officio clerk of the U.S. District Court of the same District hereby certify that on the 1st day of May A.D. one thousand eight hundred and sixty-two, in the former District Court of the United States, for the Southern District of California, an order was entered granting an appeal on

behalf of the United States to the Supreme Court of the United States, from the decree thereupon entered in said District Court in favor of the claimants, in the above entitled cause, and that no further proceedings have been had in said cause since said 1st day of May 1862, all of which appears from the records and files now in my custody.

In testimony whereof I have hereunto set my hand and affixed the seal of the U.S. District Court for the District of California, at San Francisco, this 28th day of December 1869

Seal

Geo. E. Whitney
Clerk."

And having stated to the Court that the appellant had altogether failed to file the record of said cause in this Court, or in any-

way to prosecute said appeal. Now here moved the Court in pursuance of the 9th rule of this Court to have this appeal docketed and dismissed. On consideration whereof, it is now here ordered adjudged and decreed by this Court, that this appeal from the District Court of the United States for the South ern District of California, be and the same is hereby docketed and dismissed. And that this cause be, and the same is hereby remanded to the District Court of the United States for the District of California, for further proceedings to be had therein in conformity to law and justice, the said appeal notwithstanding.

Per Mr Chief Jus. Chase.

Joseph C. Willard
90. vs. Appellant
Henry A. Willard & al.
and
Same
vs.
91 Geo. G. Pasbury Jr. & al.

The motion to dismiss these cases was argued by Mr Merrick in support thereof. On consideration whereof it is now here ordered by the Court that said motion be, and the same is hereby overruled.

Kenneth H. Worthy.
413. vs. Plaintiff in error.
Commissioners of Moore Co.

The motion to dismiss this cause was argued by Mr Boyce in support thereof, and submitted on printed argument by Mr Shuffler in opposition thereto.

The State of Texas
4 Orig. vs. Complainant.
Geo. W. White, John
Childs et al.

The motion of Mr Pas-
chal for an
order directing

Geo. W. Stewart to pay into this Court the amount of money received by him, pending the litigation of this case, on or before a day to be named by the court, was argued by him in support thereof, and by Mr Hughes in opposition thereto - Whereupon this Court not being now here sufficiently advised of, and concerning what order to render in the premises took time to consider.

Aetna Insurance Co 135 vs. Plaintiff in Error. Charles L. Howe et ux.	Ordered by the Court that the motion to dismiss this cause filed by Mr Hughes, be set down for hearing on Friday next.

Thomas J. Smith vs. vs Plaintiff in error. Samuel P. Morris et ux	This cause was submitted to the consideration of the

Court on the record and printed argument by Mr French of Counsel for the plaintiff in error, and by Mr Drew of Counsel for the defendants in error.

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58 The Steamboat "W Burns" &c. vs. James L. Reynolds et al, and The Steamboat "W Burns" &c. vs. Thomas Morrison et al.

59

Plaintiff in error

These cases were argued by Mr Mills of Counsel for the plaintiff in error, and submitted on printed argument by Mr G. P Strong for the defendants in error.

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60. Henry S. Dater vs. Mary K. Hall Exr.

Plaintiff in error

This cause was argued by Mr Gorham of Counsel for the plaintiff in error, and submitted on printed argument by Mr P Cushing of Counsel for the defendant in error.

Proclamation being made the Court is adjourned

Monday February 7th 1870.

Pursuant to adjournment the Court met this morning at the Capitol -

Present.

The Honorable Salmon P. Chase, Chief Justice.

Samuel Nelson
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
} Associate Justices.

Richard C. Parsons, Esquire, Marshal.
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. W. M. Stewart, it is ordered that C. J. Hillyer Esquire of Virginia City, State of Nevada, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the court in this behalf by Mr A. G. Riddle it is ordered that N. H. Miller Esquire, of Washington City, District of Columbia be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

On motion first made to the court in this behalf by Mr Geo. H. Robeson. it is ordered that John L. Cadwalader Esquire of New York City be admitted to practice as an attorney & counsellor of this court and he was sworn accordingly. --

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Nott Udell, Libellant. ———

And Appellant.

32. ——— vs. ———

The Steamship "Potomac" her tackle &c, John E. Parsons, Fredric Cromwell, J. H. Clark, S. H. Seaman, S. S. Cromwell, Executors of N. B. Cromwell deceased, E. Hammett, Ass Reg, & D. Wood, Trustees Daniel Cromwell Jr. and William H. Cromwell, assignees of William D. Cromwell deceased

Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York and was argued by Counsel. On consideration whereof, it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

per Mr Justice Davis.

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25. The Providence Rubber Co. vs Appellant
Charles Goodyear, Executor of Charles Goodyear deceased - The Union India Rubber Co. et al.

Appeal from the Circuit Court of the United States for the District of Rhode Island.

This cause came on to be heard

on the transcript of the record from the Circuit Court of the United States, for the District of Rhode Island, and was argued by counsel - On consideration whereof, it is now here ordered adjudged and decreed by this Court, that the decree of the said Circuit Court, in this cause, be, and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar decrees bear in the courts of the State of Rhode Island.

per Mr Justice Swayne.

The Board of President and Directors of the St Louis Public Schools
27. vs. Plaintiffs in error.
David R. Risley, and Sarah R. Risley, by her curator Geo. D. Humphreys, legal representative of William Risley, deceased.

In error to the Supreme Court of the State of Missouri.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Missouri, and was argued by counsel. On consideration whereof, it is now here ordered & adjudged by this Court, that the judgment of the said Supreme Court in this cause, be, and the same is hereby affirmed with costs.

per Mr Justice Clifford.

The Board of President and Directors of the Saint Louis Public Schools. Pltffs in Error,	In error to the Supreme Court of the State of Missouri.
28 vs.	
Mary Dietz (formerly Mary Schoenhaler) and George Bayha administrator of G. Schoenhaler deceased.	

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Missouri, and was argued by

Counsel - On consideration whereof it is now here ordered and adjudged by this Court, that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

per Mr Justice Clifford

The Burlington Illinois River Railroad Company.		In error to the Supreme Court of the State
39.	vs. Plaintiff in Error	
Mills County Iowa.		

of Iowa.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Iowa and was argued by Counsel. On consideration whereof, it is now here ordered adjudged and decreed by this Court that the decree of the said Supreme Court, in this cause, be, and the same is hereby affirmed with costs. per Mr Justice Nelson

The Burlington and Missouri River Railroad Co.
No. 103 Plaintiff in error,
vs.
Fremont County - Iowa.

In error to the Supreme Court of the State of Iowa.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Iowa, and was argued by Counsel. On consideration whereof, it is now here ordered adjudged and decreed by this court that the decree of the said Supreme Court, in this cause, be, and the same is hereby, affirmed with costs.

per Mr Justice Nelson.

John A McClymonds
Executor of D. C. Broderick deceased.
vs.
No. 5 Plaintiff in error,
Emily W. Magraw, admx. of H. J. Magraw, deceased.

In error to the Supreme Court of the State of California

This cause came on to be heard

on the transcript of the record from the Supreme Court of the State of California and was argued by Counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court, that the decree of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

per Mr Chief Justice Chase.

Susan P. Hepburn
and Henry P. Hepburn.
vs. Plaintiffs in Error.
Henry M. Griswold

In error to the Court of Appeals of the State of Kentucky.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Kentucky, and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court, that the judgment of the said Court of Appeals in this cause, be, and the same is hereby affirmed with

Costs.

Per Mr Chief Justice Chase.

Dissenting:

Mr Justice Miller
" Swayne
" Davis.

Kenneth K. Worthy
413 vs Plaintiff in Error.
J. M. Burrell, W. F. Snell,
C. M. Smith, John Keller,
and N. Kelly Commissioners
of the County of Moore.

In Error to the Supreme Court of the State of North Carolina.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of North Carolina, and was argued by Counsel. On consideration whereof, it is now here ordered and adjudged by this Court, that this writ of error be, and the same is hereby dismissed for the want of jurisdiction.

Per Mr Chief Justice Chase

The State of Texas
4 orig. bills Complainant
C
Geo. W. White, John
Chiles, Geo. W. Stewart def.

This is a motion in behalf of the Complainant for an order upon the defendant Stewart to pay the amount of the money received by him, pending the litigation into court.

The decree in this case heretofore rendered found that the complainant was entitled to recover certain bonds and coupons, and any proceeds thereof which had come into the possession or control of the defendant with notice of the Equity of the complainant; and further that the defendant Stewart was accountable to the complainant to make restitution of four of said bonds numbered 1230. 1231. 1235. and 1236. with the coupons attached or make good the proceeds thereof.

The decree as to Stewart was rendered pro confesso, and a motion was made to set it aside,

and for a new hearing, on the ground that the proceeds of the bonds were paid to him before service of process: but on consideration the Court being satisfied, that the payment of the bonds was received by him pending the litigation, and though before service of process on him, with notice of the Equity of the complainant, denied the motion.

Upon the principle of this decision, the complainant is entitled to the order for which the motion asks, and it will be allowed.

The Clerk is directed to ascertain the amount received by the defendant Stewart, which amount the defendant is required to pay into Court for the use of the complainant in thirty days from the date of this order.

per Mr Chief Justice Chase.

The State of Texas.	Continuation
4 orig. - Pl Complainant.	of the
Geo. W. Wade John Blair.	motion of
Geo. W. Stewart, et al.	Wm Pinchard
	filed in this

cause on Friday last, it is now here ordered by the Court that said motion be sustained, and that the Clerk account from the Secretary of the Treasury, the amount received by the defendant George W. Stewart.

And now the Clerk having reported that on the 24th day of June 1839, there was paid by the Secretary of the Treasury Land Warrants numbered 11230. 11231-11235 and 11236, and the 11 certificates thereon, amounting in the sum of five thousand dollars in gold, which payment was after the order for an injunction. It is therefore now here ordered that the said Stewart pay said sum of five thousand dollars into Court within thirty days from this day, and that

the said Stuart and his solicitors Hughes Denver and Scott, be notified of this order.

per Mr Chief Justice Chase.

	The Steamboat "Joseph Johnson"	The argument of these cases was commenced by Mr Fellows of counsel for the appellant on No 61.
61.	vs. Appellant	
	Irwin McCord et al.	
	and	
	Irwin McCord et al.	
62	vs Appellants	
	Str. "Propeller" Wm. F. Purdy"	

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Tuesday February 8th 1870.

Pursuant to adjournment the court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase Chief Justice

Samuel Nelson
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
} Associate Justices

Richard C. Parsons Esquire, Marshal.
Daniel Ashley Middleton Clerk.

Proclamation being made the Court is opened.

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61 The Steamboat Joseph Johnson vs. Appellant Irwin McCordrad and Irwin McCord et al vs. A. Shelland. The Propeller Wm. H. Brown

62

The argument of these cases was continued by Mr. Wilson of Counsel for the appellant in 61. -- by

Tuesday February 8th 1876. Continued.

Mr Van Santvoord of counsel for the appellant in No 62. - by Mr E. C. Benedict of counsel for the appellee, and concluded by Mr Fithian for the appellant in No 61.

The United States.
359. vs. Appellant.
Morris Keteltas.

The United States,
370 vs. Appellant
Henry Grasmayer.

and

The United States.
396 vs Appellant
Huddart & Stanton.
Petition of E. H. Stanton, Esq.

The argument of these cases was commenced by Mr Hale special counsel for the Appellants.

Proclamation being made the Court is adjourned until to-morrow morning, at eleven o'clock.

Wednesday January 6th 1870

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P Chase Chief Justice

Samuel Nelson
Nathan Clifford
Noah H Swayne
Samuel F Miller
David Davis
Stephen J Field
} Associate Justices.

Richard C Parsons Esquire Marshal
Daniel Wesley Middleton Clerk

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr S P Fabens it is ordered that J C Challender Esquire of New York City be admitted to practice as an attorney and Counsellor of this Court, and he was sworn accordingly.

Jeremiah Carhart and Elias P. Needham. Appellants, vs. Charles Austin.

Appeal from the Circuit Court of the United States for the District of New Hampshire.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of New Hampshire, and on the stipulation on file, and motion of Mr Carlisle in behalf of counsel, it is now here ordered adjudged and decreed by this Court, that this appeal be and the same is hereby dismissed each party paying his own costs.

per Mr Chief Justice Chase.

Wednesday February 9th 1870 Continued

	The United States	The argument of
359	vs. Appellant	these cases was
	Morris Kohn.	continued by Mr
	.....	Hale special
	Same	Counsel for the
370	vs. Appellant	appellants, con
	Henry Grossmayer.	tinued by Mr
	And Same	Geo. Taylor
390	vs. Appellant	and Mr Mills
	Huldah L. Stanton &c	of Counsel for
		the appellees

and by Mr Attorney General Hoar of Counsel for the appellants

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Proclamation being made, the Court is adjourned until tomorrow morning at eleven o'clock.

Thursday February 16th 1860.

Pursuant to adjournment, the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase, Chief Justice.

Samuel Nelson
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
} Associate Justices.

Richard C. Parsons, Esquire Marshal.

Daniel Kelley Middleton, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Hon. Matt H. Carpenter it is ordered that William T. Tibbits Esquire of East Saginaw, State of Michigan, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Thursday February 10th 1870. Continued.

359	The United States vs Appellant Morris Kohn.	The argument of these causes was concluded by the Attorney General & Mr Carpenter of counsel for the appellants.
370.	Same. Appellant vs Henry Greenmayer	
390.	and Same vs Appellant Hezekiah L. Stanton &c.	

387.	The United States vs Appellant McKee Anderson	The argument of these cases was commenced by Mr Hale the said counsel for the appellants. Continued by Mr T. J. Fuller of counsel for the appellee in No 387. - by Mr A. G. Riddle of counsel for the appellee in No 391. and concluded by Mr Hale for the appellts.
	and	
391.	The United States vs. Appellant William Tolland	

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock

Friday February 11th 1870.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase, Chief Justice
Samuel Nelson
Nathan Clifford
Noah H. Swayne — Associate
Samuel F. Miller — Justices.
David Davis &
Stephen J. Field

Richard C. Parsons, Esquire, Marshal
Daniel Ridgely Middleton, Clerk.

Proclamation being made, the Court is opened.

The United States, Plaintiffs in Error
vs.
Alfred Shepperd and Charles Saunders.

In error to the Circuit Court of the United States for the District of South Carolina.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of South Carolina.

And on the motion of Mr Phillips and consent of Mr Assistant Attorney General Field. it is now here ordered and adjudged by this Court, that the writ of error be and the same is hereby dismissed without prejudice to the plaintiff in error right to sue out a new writ of error.

per Mr Chief Justice Chase

Ex parte: In the matter of Josiah Morris, and John F. Johnson. 2 Original — Petitioners. | Petition for rule, &c.

Mr Phillips filed letter of Asst Att Genl Rusled, waiving rule to show cause &c. and the motion for a writ of Mandamus set for argument on Friday next the 18th instant

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William H. Gleason, Secd Governor of Florida, vs. Plaintiff in error. The State of Florida ex rel The Att Gen. | The argument of the motion to

dismiss this cause was commenced by Mr Howe in support of the same, continued by Mr Butler in opposition thereto, and concluded by Mr Howe in favor of the motion.

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3 John A. McClymond &c. &c. vs. Plaintiff in Error. Emily H. Magraw adm'x &c. | On the motion of Mr Wills and consent of Mr Carlisle, it is ordered by the court that the Clerk have leave to issue the mandate in this cause at the present term.

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185 Aetna Insurance Co. vs Plaintiff in Error. Charles C. Kane & al. | The argument of the motion to dismiss this cause was commenced by Mr Hughes in support of the same, continued by Mr Stanton in opposition thereto, and concluded by Mr Hughes in favor of the motion.

Friday February 11th 1876 Continued

301	William H. Ferris Jr vs. Thomas Jackson.	Plaintiff in error	This cause was submitted to the consideration of the Court on the record and printed argument by Mr A. J. Miller of counsel for the plaintiff in error, and by Mr S. H. Fuller of counsel for the defendant in error.

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11 Original	Ex parte Mark Howard et al	Petitioners	The argument of the motions in these cases, was commenced by Mr Grant in support of the same, continued by Mr Withrow and Mr S. H. Fuller in opposition thereto, and concluded by Mr Grant in favor of the motion
106 and 107	J. R. Cellum et al Appts vs Mark Howard et al		

Proclamation being made the Court is adjourned until Monday morning next at eleven o'clock

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Monday February 14th 1870.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase, Chief Justice.

Samuel Nelson
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
} Associate Justices

Richard C. Parsons Esqre. Marshal.
David Wesley Middleton Clerk.

Proclamation being made the Court was opened.

On motion first made to this Court on this behalf by Mr. S. P. Chapman, it is ordered that Henry Franklin Sherman, Esquire of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

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331. John Gut vs. The State of Minnesota. | In error to the Supreme Court of the State of Minnesota.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Minnesota, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court, that the judgment of the said Supreme Court, in this cause, be, and the same is hereby affirmed with costs

per Mr Justice Field

46. Johannes Jecker, Xaver Haver, Johanna Haver, Franz Haver, Johann Rumpel, and Jacob Rumpel, heirs of Peter Yager, or Yaker, (dec'd); vs. Plaintiffs in error. Dean Magee, administrator, and Jane Yager, widow of Peter Yager, or Yaker, deceased. | In error to the Court of Appeals of the State of Kentucky

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Kentucky, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court, that the judgment of the said Court of Appeals, in this cause, be, and the same is hereby affirmed with costs.

per Mr Justice Davis.

The United States.	On a certificate
22 vs Plaintiffs	of division in
Charles A. Kechler, &	opinion between
Theodore F. Kechler,	the judges of the
and Theodore F. Kechler, &	Circuit Court
M. M. Kechler Executors	of the United States
and Executrix of C. F.	for the District
Kechler, deceased.	of North Carolina.

This cause came onto be heard on the transcript of the record from the Circuit Court of the United States for the District of North Carolina.

and on the point or question on which the Judges of the said Circuit Court were opposed in opinion, and which was certified to this Court, for its opinion, agreeably to the Act of Congress in such case made and provided, and was argued by Counsel. On consideration whereof, it is the opinion of this Court, that on the facts stated, the United States is entitled to a judgment thereupon it is now here ordered and adjudged by this Court that it be so certified to the said Circuit Court. (Per Mr Justice Miller)

The Board of President and Directors of the St Louis Public Schools.	In Error to the Supreme Court of the State of Missouri.
29 vs. Plaintiffs in error	
Isaac Walker & Patrick Ryan	

This cause came on to be heard on the transcript of the record from the Supreme Court of the

State of Missouri, and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court, that the judgment of the said Supreme Court, in this cause be, and the same is hereby affirmed with costs.

per Mr Justice Miller.

	The Reindeer Rubber Co. Wm W. Brown, Edwin M. Chaffee, and A. O. Bourn.	Appeal from the Circuit Court of the United States for the Dis-
35.	vs. Appellants.	
	Charles Goodyear, Executor of Charles Goodyear, (dec'd) The Union Rubber Company, and the Akron Rubber Co.	trict of Rhode Island.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Rhode Island, and was argued by Counsel. On consideration whereof it is now here ordered adjudged

and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

Per Mr Justice Swayne.

Jacob D. Cox. Secretary of the Interior.	In error to the Supreme Court of the Dist. of Columbia.
337 vs. Plaintiff in error	
The United States ex rel. William McGarahan	

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by Counsel. On consideration whereof, it is now here ordered, and adjudged by this Court that the judgment of the said Supreme Court, in this cause be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Supreme

Court with directions to dismiss the petition. per Mr Justice Clifford

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James S Wilkins surviving partner of J. H. Clark & Co. 232 U.S. Plaintiffs in Error
Semple Ebell, admr. of Thomas W Quarles, (decd)

In error to the Circuit Court of the United States, for the Western District of Tennessee.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Tennessee, and was argued by Counsel. On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said Circuit Court, in this cause, be, and the same is hereby reversed with costs - And that this cause be, and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity to the opinion of this court.

per Mr Justice Nelson.

Monday, February 14th, 1870. Continued.

The United States 124 & 128. vs. Appellants Theodore Adams.	On consideration of the motion filed by Mr Wells to reform the decree, and mandate in this cause - and of the arguments of counsel, thereupon had, as well in support of, as against the same - it is now here ordered by the Court that said motion be, and the same is hereby denied. — for Mr Justice Nelson.

The Steamboat "McBurney" &c. 58. vs. Plaintiff in Error, James F. Reynolds & al. and The Steamboat "McBurney" &c. 59. vs Plaintiff in error Thomas Morrison et al.	Ordered by the Court that leave be & the same is hereby granted to file additional Brief in these causes within ten days from this date.

The United States 49. vs. Peffer in Error Charles Hare Def.	Ordered by the Court that leave be granted the Clerk to issue the Mandate in this cause.

176 Edwin C. Litchfield vs. C. B. Richards Register &c. Appellant

This cause was submitted to the consideration of the Court on the record and printed argument by Mr E. C. Litchfield of counsel for the appellant, and by Mr W. H. Kelsey of counsel for the appellee.

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397 Hannah Riley vs. William B. Welles Appellant

This cause was submitted to the consideration of the Court, on the record and printed argument, by Mr Kelsey of counsel for the appellant and by Mr E. C. Litchfield of counsel for the appellee.

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53 The Ship "Star of Hope" vs. William C. Inman Sel. Appellant

This cause was argued by Mr Casserly of counsel for the appellant, and submitted on printed argument by Mr Donohue for the appellee.

Termination being made, the Court is adjourned until tomorrow morning at eleven o'clock.

Tuesday January 13th 1870

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Salmon P Chase Chief Justice

Samuel Nelson
Nathan Clifford
Noah H Swayne
Samuel F Miller
David Davis
Stephen J Field
} Associate Justices

Richard C Parsons Esquire Marshal
Daniel Wesley Middleton Clerk.

Proclamation being made, the Court is opened

On motion first made to the Court in this behalf by Mr W. M. Evarts, it is ordered that James Geddes Day Esquire of New York City, State of New York be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr Geo. Taylor, it is ordered that H. H. Emerson Esquire of Scranton, State of Ohio, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Edward H Green, and Hetty H. his wife vs. Thomas Mandell, Executor of Sylvia Ann Howland, deceased. Edward D. Mandell, George Howland the Younger, and William H. Jordan, Trustees and Legatees &c.

Appeal from the Circuit Court of the United States for the District of Massachusetts.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and on the stipulation of Counsel for the re-

future parties on file, and motion of Mr Curtis, it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed. And that this Bill be dismissed without costs to either party, in either Court.

per Mr Chief Jus. Chase.

173.	Edward H. Green & ux. vs. Thomas Mundell Ex'r &c.	Ordered by the Court that Leave be granted the Clerk to issue the Mandate in this cause.

65.	The Ship S. S. Harriman vs. Joseph Emerick.	The argument of this cause was commenced by Mr Evarts of Counsel for the appellants. Continued by Mr B. R. Curtis of Counsel for the appellee, and concluded by Mr

Tuesday February 15th 1870. Continued

Evarts for the appellant.

James B. Bayless 66. vs. Plaintiff in error The United States.	The argument of this cause was commenced by Mr Evarts of counsel for the plaintiff in error, and continued by the Assistant Attorney General Field of counsel for the defendant in error.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven o'clock.

Wednesday February 16th 1870.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P Chase, Chief Justice.

Samuel Nelson
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
} Associate Justices.

Richard C Parsons Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Charles F. Peck, it is ordered that E G. Asay. Esquire of Chicago State of Illinois be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

251.	John H. Hamden vs. Appellant Sidney E. Howard et al.	Mr Cushing filed motion to dismiss this appeal.

66.	James R. Boylan vs. Plaintiff in error The United States.	The argument of this cause was continued by Mr Assistant Attorney General Field of counsel for the defendant in error, and concluded by Mr Evarts of counsel for the plaintiff in error.

12	The Justices of the Supreme Court of New York, 3rd District. vs Plaintiff in error. The U.S. and R. Murray.	The argument of this cause was commenced by Mr Amasa J. Parker of counsel for the plaintiff in error, continued by Mr Att'y Attorney General Fillmore and Attorney General Hoar of counsel for the defendant in error. And concluded

Wednesday January 16th 1850. continued.

by Mr Parker for the plaintiff in error.

Hiram Darney Coll.&c. | The argument
vs. Plaintiff in Error. | of this cause
C. F. Schneider et al. | was commenced
by Mr Asst.
Attorney General Field of counsel
for the plaintiff in error, and continued by Mr Curtis of counsel for the
defendant in error.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Thursday February 17th 1870.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase, Chief Justice.

Samuel Nelson	
Nathan Clifford	
Noah H. Swayne	Associate
Samuel F. Miller	Justices
David Davis	
Stephen J. Field	

Richard C. Parsons, Esquire Marshal.

Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

Hiram Tarney, Coll. &c. vs. Plaintiff in Error.
70. C. F. Schmeider et al

The argument of this cause was continued by Mr Evarts of Counsel for the defendant in error, and concluded by Mr Assistant Attorney General Field for the plaintiff in error.

Md and Mun R.R. Co 72. vs. Appellants. James T. Smith et al.	This cause was argued by Mr. Boyce of counsel for the appellant,

and submitted on printed argument by Mr Cary, of counsel for the appellees.

Henry M. Bennett 74 vs Plaintiff in error Alexander Hunter.	The argument of these cases was commenced by
Henry S. Martin 305. vs Plaintiff in error Robert Berry et al and Robert Barber et al. 306 vs. Plaintiffs in error William G. Eugene	Mr Childenden of counsel for the plaintiffs in error, and continued by Mr Leech of counsel for the defendant in error.

Proclamation being made the court is adjourned until tomorrow morning at eleven o'clock.

Friday February 18th 1870.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Salmon P. Chase, Chief Justice.

Samuel Nelson
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field.
} Associate Justices

Richard C. Parsons, Esquire, Marshal
Daniel Ashley Middleton, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court on this behalf by Mr. Robert Leach, it is ordered that Benjamin Franklin Williams Esquire of El Paso State of Texas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr P. Phillips, it is ordered that C. W. C. Rowell Esquire of Mohave City Arizona Territory, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

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On motion first made to the Court in this behalf by Mr H. M. Carpenter it is ordered that Joseph S. Hall Esquire of San Jose, State of California be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

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Ex parte: In the matter of George R. Kennedy, Original Petitioner

On motion of Mr Corwine Court granted him

13 to file application for a writ of Certiorari, and Habeas Corpus.

Friday February 15th 1878 Continued.

The United States. vs. Appellant
Asher Hynes.

The argument of the motion to dismiss this appeal was commenced by Mr Hughes in support of the same, continued by Mr Hale special counsel in opposition thereto, and concluded by Mr Hughes in favor of the motion.

Ex parte B. J. H. Zellner. Petitioner
5 original -
and
Ex parte In the matter of John F. Sargent
of Original ... Petitioner.

The argument of the rule to show cause &c. was commenced by Mr Hale special counsel in opposition to the same, continued by Mr Riddle and Mr Durant in support of the rule, and concluded by Mr Hale in opposition thereto.

Proclamation being made, the Court is adjourned until Monday morning next at Eleven o'clock

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Monday February 21st 1870.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Salmon P Chase, Chief Justice.

Samuel Nelson
Nathan Clifford
Noah H Swayne — Associate
Samuel F Miller — Justices
David Davis
Stephen J Field

Richard C Parsons Esquire Marshal
Daniel Wesley Middleton, Clerk

Proclamation being made the Court is opened.

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51. Henry Pelham vs Huntley, J M Langsdale, admr of David G. Rose (deceased). E R Roberts, Seth Way, Isaac B Capelin, Seth Eason, and Abram Kupp.

On a certificate of division in opinion between the Judges of the Circuit Court of the United States for the Southern District of Indiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States, for the Southern District of Indiana, and on the points or questions on which the judges of the said Circuit Court were opposed in opinion, and which were certified to this court for its opinion, agreeably to the act of Congress in such case made and provided and was argued by counsel. On consideration whereof, it is the opinion of this court that the first and second question certified must be answered in the affirmative. The third question certified resting upon an hypothesis no answer is made to it. Whereupon it is now here ordered and adjudged by this court, that it be so certified to the said Circuit Court.

per Mr Justice Field

Francis C. J. Smith
vs. Pltff in error.
Samuel F. B. Morse, and
A. C. Vail, Executrix, and
Theodore Sill, & G. Hobb,
Executors of A. Vail, deceased,

In error to the
Circuit Court
of the United
States for the
Southern
District of
New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs, and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of New York.

Per Mr Justice Field.

John E. Neale 33. vs. Appellant, Benjamin J. Neale, and Mary H. his wife	Appeal from the Supreme Court of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court, that the decree of the said Supreme Court in this cause, be, and the same is hereby affirmed with costs.

Per Mr. Justice Davis.

The Hannibal and St Joseph Railroad Co. 20. vs. Husen, in Error. Lewis Smith	In error to the Supreme Court of the State of Missouri.

This cause came on to be heard on the transcript of the record from

the Supreme Court of the State of Missouri, and was argued by Counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with Costs.

Dissenting: Mr Justice Clifford

Per Mr Justice Miller.

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301. William H Norris Jr. vs. Thomas Jackson. Plaintiff in Error.

In error to the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by Counsel. On consideration whereof, it is now here ordered and adjudged by this Court, that the judgment of the said Circuit

Court, in this cause be, and the same is hereby affirmed with costs

per Mr Justice Miller

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53 Benjamin H Cheever vs. Appellant
Jesse B Wilson, and
James J. Worcester.

Appeal from the Supreme Court of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this court that the decree of the said Supreme Court in this cause be, and the same is hereby reversed with costs. And that this cause be and the same is hereby remanded to the said Supreme Court, with directions to enter a decree in conformity with the opinion of this court.

per Mr justice Swayne

Monday January 21st 1850. Continued

61. The Steamboat Joseph Johnson (otherwise called the Scranton) her tackle &c. Frederick A Potts Claimant. Appellant. vs. Isaac McCord and the Washington Insurance Co. | Appeal from the Circuit Court of the United States for the Southern District of New York

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed, with costs and interest until paid at the same rate per annum that similar decrees bear in the Courts of the State of New York. per Mr Justice Clifford.

	Steam M. Co. and The Washington Ins. Co. Comp'y. vs. A. Mellards. "The Propeller W. F. Burden" Silas Bell et al. Claimants.	Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States, for the Southern District of New-York and was argued by counsel. On consideration whereof, it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs. Per Mr Justice Clifford.

48.	The United States vs. Antonio Rocha et al.	Appeal from the District Court of the United States for the

District of California.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of California and was argued by counsel. On consideration whereof, it is now here ordered adjudged and decreed by this Court that the decree of the said District Court, in this cause, be, and the same is hereby affirmed.

Dissenting: Mr Justice Wilson
Mr Jus. Clifford
" " Davis

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252 The City of Chicago. | Appeal from the Circuit
U.S. Appellants, | Court of the
William B Sheldon. | United States
for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois and was ar-

gued by Counsel. On consideration whereof, it is now here ordered adjudged and decreed by this Court, that the decree of the said Circuit Court, in this cause be, and the same is hereby affirmed with costs. Per Mr Justice Nelson.

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69 Asahel Aylesworth. vs. Plaintiff in error, Rensselaer S. Parker John W. J. Catlin, and Harold Sprague.

In error to the Circuit Court of the United States for the District of Indiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Indiana and was argued by Counsel. On consideration whereof the Court being equally divided in opinion. It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed

with cost and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Indiana, nunc pro tunc as of the 31st of January 1870.

By a divided Court.

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72 The Mil & Minn. R.R. Co. vs James T. Soulby and Stephen Keogh, Sureties. | Appeal from the Circuit Court of the United States for the District of Wisconsin.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Wisconsin, and was argued by Counsel. On consideration whereof, it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court, in this cause be, and the same is hereby affirmed with cost. Per Mr. Justice Swayne.

The United States	On a certificate of
88. vs Plaintiffs	division in opin-
Henry C. Dowell.	ion between the

judges of the Cir. cuit Court of the United States for the Eastern District of Michigan.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Michigan, and on the points or questions on which the Judges of the said Circuit Court were opposed in opinion, and which were certified to this Court for its opinion, agreeably to the act of Congress in such case made and provided, and was argued by counsel. On consideration whereof, it is the opinion of this Court that the first question certified must be answered in the negative. The second question certified must also be answered in the negative, except so far as

the section named operates within the United States, but without the limits of any State. Whereupon it is now here ordered and adjudged by this Court that it be so certified to the said Circuit Court.

Per Mr Chief Justice Chase.

The Aetna Insurance Co
135. vs Plaintiff in Error,
Charles C Rowe et al.

On consideration of the motion filed by Mr Hughes on the 21st October 1869, to amend the writ of error, in this cause, - it is now here ordered by the Court, that said motion be, and the same is hereby denied.

The Aetna Insurance Co.
135 vs Plaintiff in error,
Charles C Rowe and
Henry Sanderson
administrators of Henry K White, deceased.

In error to the Circuit Court of the United States, for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois and was argued by Counsel. On consideration whereof, it is now here ordered and adjudged by this Court, that this writ of error be and the same is hereby dismissed with costs.

per Mr Chief Jus. Chase.

Lessee of Mary A. Brobst, vs. Plaintiffs in error, John P. Brobst et al

Ordered by the Court that this cause be,

and the same is hereby passed without prejudice.

The Chief Justice announced that tomorrow being the birth-day of Washington, the Court will adjourn to day to Wednesday morning at eleven o'clock.

Henry M Bennett
304 vs. Plaintiff in Error.
Meander Hunter.

Henry S. Martin
305 vs Plaintiff in error.
Robert Beverly et al.
and
Robert Turner et al.
306 vs. Plaintiffs in error
William G. Eugenove.

The argument of these cases was continued by Mr Leach of counsel for the defendant in error.

Proclamation being made, the Court is adjourned until Wednesday morning next at Eleven o'clock.

Wednesday February 23rd 1870.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase Chief Justice

Samuel Nelson
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field.
} Associate Justices

Richard C. Parsons Esquire, Marshal.

Daniel Wesley Middleton Clerk.

Proclamation being made, the Court is opened.

Henry M Bennett
vs. Piff. in Error
Alexander Hunter

Henry S Martin
vs. Piff. in error
Robert Waverly et al.
and Robert Palmer et al.

No 6 vs Piffs in Error
Hilliard & Cazenove.

The argument of these cases was continued by Mr Garfield of Counsel for the defendant in error, and concluded by Mr Willoughby of Counsel for the plaintiff in error.

Wednesday February 23rd 1870 continued.

Matthew Sonner
Executor &c.
vs. 28 Appellant
The United States

The argument of this cause was commenced by Mr Combs of Counsel for the Appellant

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Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Thursday February 24th 1870.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase Chief Justice

Samuel Nelson
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
} Associate Justices.

Richard C. Parsons Esquire Marshal.
Daniel Wesley Middleton, Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr Thomas M. Carlisle, it is ordered that Jeremiah Halsey Esquire of Norwich State of Connecticut, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

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76 Matthew Bonner & c. &c. vs. The United States, Appellant.

The argument of this cause was continued by Mr Coombs of counsel for the appellant. by Mr Asst Atto General Talbot of counsel for the appellee, and continued by Mr Coombs for the appellant.

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74 Richard W. Meade, adm.rs &c. vs. The United States, Appellant

Sir consequence of the indisposition of the Attorney General, it is now here ordered by the Court, that this cause be postponed till Monday next the 28th instant

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51 Edward M. Linthicum & Co.rs vs Alexander Ray, Plaintiffs in Error.

The argument of this cause was commenced by Mr Wells of counsel for the pltffs in error.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock

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Friday February 25th 1870.

Pursuant to adjournment the Court met this morning at the Capitol

Present.

The Honorable Salmon P. Chase Chief Justice

Samuel Nelson	
Nathan Clifford	
Noah H. Swayne	Associate
Samuel F. Miller	Justices.
David Davis and	
Stephen J. Field	

Richard C. Parsons Esquire. Marshal.

Daniel Kelly Middleton. Clerk.

Proclamation being made the Court is opened

On motion first made to the Court on this behalf by Mr. P. D. Massey. It is ordered that James A. Henry. and Henry H. Starkweather Esquires of Norwich and Stephen W. Kellogg Esquire of Waterbury State of Connecticut, be admitted to practice as attorneys and Counsellors of this Court and they were sworn accordingly.

Friday February 25th 1870 continued

58	The Steamboat "M Burns &c vs Plaintiff in error James F. Reynolds et al And	Motion heard and writ of error filed and submitted by Mr Wills in
59	The Steamboat "M Burns &c vs Plaintiff in error. Thomas Morrison et al.	

behalf of Mr Rankin of counsel for the plaintiff in error.

81	Edward McGinnis Esq vs Plaintiff in Error Alexander Kay.	The argument of this cause was continued by Mr Wills of counsel for the plaintiff in error by Mr Davidge and Mr Cox of counsel for the defendants in error and concluded by Mr Bradley of counsel for the plaintiff in error.

81	William Gunton et al vs. Joseph Nock	Appellants.

This cause was submitted to the consideration of the Court on the record and printed argument by Mr Dunlop of Counsel for the appellant, and by Mr Morris of counsel for the appellee.

90.	Joseph G. Willard vs. Henry A. Willard et al. and Joseph G. Willard vs. Geo. G. Fleming Jr et al.	Appellant
91		Appellant

The argument of these cases was commenced by Mr H. G. Stallings of counsel for the appellant, continued by Mr Merrick and Mr Brent of Counsel for the appellees, and concluded by Mr Dunlop of counsel for the appellant.

Proclamation being made the Court is adjourned until Monday morning next at eleven o'clk.

Monday January 25th 1870

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Salmon P Chase, Chief Justice.

Samuel Nelson
Nathan Clifford
Noah H Swayne
Samuel F Miller
David Davis and
Stephen J Field

} Associate Justices

Richard C Parsons Esquire Marshal
Daniel Wesley Middleton Clerk

Proclamation being made, the Court is opened.

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359. The United States, Appellant vs Morris Kohn

Appeal from the Court of Claims

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by Counsel. On consideration whereof, it is now here

ordered adjudged and decreed by this Court, that the decree of the said Court of Claims, in this cause, be, and the same is hereby affirmed

per Mr Justice Davis

387	The United States Appellants vs Nelson Anderson	Appeal from the Court of Claims

This cause came on to be heard on the transcript of the record from the Court of Claims and was argued by counsel. On consideration whereof, it is now here ordered adjudged and decreed by this Court, that the decree of the said Court of Claims in this cause, be, and the same is hereby affirmed

per Mr Justice Davis

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390. The United States vs Appellant
Kuldah L. Stanton, Extrix of E. H. Stanton (now Kuvle, Extrix of E. H. Stanton.

Appeal from the Court of Claims

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel On consideration whereof, it is now here ordered adjudged and decreed by this Court, that the decree of the said Court of Claims in this cause be, and the same is hereby affirmed.

Per Mr Justice Davis

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391. The United States vs Appellant
William Pollard

Appeal from the Court of Claims

This cause came on to be heard on the transcript of the record

from the Court of Claims, and was argued by Counsel. On consideration whereof, it is now here ordered adjudged and decreed by this Court, that the decree of the said Court of Claims in this cause be, and the same is hereby affirmed.

per Mr Justice Davis.

The Steamboat "Missouri" her tackle &c
58 vs Plaintiff in error
James F. Reynolds and James Aitken

In error to the Supreme Court of the State of Missouri.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Missouri, and was argued by Counsel. On consideration whereof, it is now here ordered and adjudged by this Court that this writ of error be,

and the same is hereby dismissed with costs.

per Mr Justice Miller

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59. The Shawhan & McBurnie Ice Co Plaintiff in error. vs Thomas Morrison and Thomas F. McInnis. | In error to the Supreme Court of the State of Missouri.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Missouri, and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this court that this writ of error be, and the same is hereby dismissed with costs

Per Mr Jus Miller

John H Ingle admin. de bonis non. &c. of Ann R Dermott, deceased and Horace Stuart Fellow et al.		Appeal from the Supreme Court of the District of Columbia
13	vs.	
Appellants	Zephaniah Jones	

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia and was argued by Counsel. On consideration whereof, it is now here ordered adjudged and decreed by this Court, that the decree of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

per Mr Justice Swayne.

Ex parte In the matter of Benjamin H Bellows		Motion and petition for
5 Original	Relator	Mandamus to the Judges

Monday February 25th 1870. Continued.

of the Court of Claims

This cause came on to be heard on the petition and return to rule filed, and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court, that a writ of mandamus issue from this Court, directed to the Judges of the United States Court of Claims requiring and commanding them to allow an appeal from the decree of the said Court of Claims, rendered on the 12th day of April, A. D. 1869, in the case of Benjamin Helfenstein vs. The United States, returnable forthwith.

per Mr Justice Nelson

Ex parte In the matter of John F. Sargent, Original. Petitioner. | Motion and petition for Mandamus to the Judges of the Court

of Claims.

This cause came on to be heard on the petition and return to rule filed, and was argued by Counsel On consideration whereof it is now here ordered and adjudged by this Court, that a writ of Mandamus issue from this Court, directed to the Judges of the United States Court of Claims, requiring and commanding them to allow an appeal from the decree of the said Court of Claims rendered on the 12th day of April A.D. 1809. in the case of John J. Barnard, vs The United States, returnable forthwith.

per Mr Justice Nelson

351	The United States vs. Maryland Asher Ayers.	On consideration of the motion filed by Mr Hughes to dismiss this appeal

and of the arguments of Counsel thereupon had, as well in support of, as against the same, it is now here ordered by the Court that said Motion be, and the same is hereby denied

per Mr Justice Nelson

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79 Richard H Wade administrator &c. vs The United States

The argument of this cause was commenced by Mr Bradley of Counsel for the appellant and continued by Mr Aspinwall, Attorney General Talbot of Counsel for the appellee.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock

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Tuesday March 1st 1870.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Salmon P. Chase, Chief Justice

Samuel Nelson
Nathan Clifford
Noah H. Swayne — Associate
Samuel F. Miller — Justices.
David Davis
Stephen J. Field.

Richard C. Parsons Esquire Marshal.

Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

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104 — Andrew B. James vs. The President &c of the Bank of Mobile

Plaintiff in error.

Mr Phillips of Counsel for the defendant in error, suggests the death of Andrew B. James, the plaintiff in error in this cause.

Tuesday March 1st 1870 continued.

79	Richard W. Meade Administrator &c. vs. The United States. Appellant	The argument of this Cause was continued by Mr Attorney General Hoar of Counsel for the appellee, and concluded by Mr Cushing of Counsel for the appellant.

101	John B. Fisher vs. Levi H. Whitney Appellant	The argument of this cause was commenced by Mr Dick of Counsel for the appellant.

Proclamation being made, the Court is adjourned until to-morrow morning at Eleven o'clock

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Wednesday March 2nd 1870.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase, Chief Justice

Associate Justices:
- Samuel Nelson
- Nathan Clifford
- Noah H. Swayne
- Samuel F. Miller
- David Davis
- Stephen J. Field

Richard C. Parsons Esquire, Marshal.

Daniel Wesley Middleton, Clerk.

Proclamation being made, the Court is opened.

John B. Fisher
101 vs Appellant
Levi H. Whitney

The argument of this cause was continued by Mr Dick of Counsel for the appellant - by Mr B. F. Butler and Mr J. P. Johnston of Counsel for the appellee, and by Mr Finch of Counsel for the appellant.

Proclamation being made, the Court is adjourned until tomorrow morning at 11 o'clock.

Thursday March 3rd 1870.

Pursuant to adjournment the Court met this morning at the Capitol

Present.

The Honorable Salmon P. Chase Chief Justice
Samuel Nelson
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
Associate Justices

Richard C. Parsons Esquire Marshal
Daniel Wesley Middleton, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Noah Davis it is ordered that James B. McKean Esquire of Saratoga Springs, State of New York, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

104 Andrew B. James vs Plaintiff in error. The Pendleton &c. of the Bank of Mobile.

Mr Phillips of counsel for the defendant in error having on the 1st inst suggested the death of Andrew B. James the plaintiff in error, in this cause. Now here comes the Court (with the consent of Mr Carlisle of counsel for the plaintiff in error) for leave to enter the appearance of John Erskard, and Amede G. James Executors of the said Andrew B. James, deceased, as the plaintiffs in error in this cause, with liberty to prosecute this writ of error. On consideration whereof. it is now here ordered by the Court that the appearance of the said John Erskard, and Amede G. James, Executors as aforesaid, be and they are hereby made the parties plaintiffs, in error in this cause.

Monday March 3rd 1834 continued

1014	John Cuskard et al. Executors of Andrew B. James, deceased. vs. The Rector of the Bank of Mobile.	Ordered by this Court that this cause be, and the same is hereby continued to the next term, (Consent of counsel for the respective parties.)

101	John B. Tisbe vs. Appellant Levi H. Whitney.	The argument of this cause was concluded by Mr Ewards of counsel for the appellant

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102	The United States vs. Appellant. Henry J. Cosmer	The argument of this cause was commenced by Mr Ogden and Attorney General Talbot of Counsel for the appellants continued by Mr Schroder of Counsel for the appellee, and concluded by Mr Talbot for the appellant.

The First National Bank of Louisville.	The argument of this cause was commenced by Mr Wells of counsel
103. vs. Plaintiff in error.	
The Commonwealth of Kentucky.	

for the plaintiffs in error.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven o'clock.

Friday March 11th 1870.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Salmon P Chase Chief Justice
Samuel Nelson
Nathan Clifford
Noah H Swayne
Samuel F Miller
David Davis
Associate Justices

Richard C Parsons Esquire Marshal
Daniel Reay Middleton Clerk

Proclamation being made the Court is opened

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340. The United States. vs. Appellant
Frederick Stanley et al.

On the motion of Mr Taylor it is ordered by the Court that leave be granted the Clerk to issue the mandate in this cause.

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53 Benjamin H Cheever vs. Appellant
Jane B. Wilson & al.

On the motion of Mr Wilson it is ordered.

by the Court that the Clerk have leave to issue the mandate in this cause.

The United States. 387 vs. Appellant, Nilon Anderson

On the motion of Mr Fuller it is ordered by the Court that leave be granted the Clerk to issue the mandate in this cause.

Ex parte. In the matter of James Graham and J. Madison Day. 111 Original Petitioners

On the motion of Mr Durant leave granted him to file motion and petition for rule to show cause on E. H. Durell Judge District Court U S for the District of Louisiana.

Ex parte In the matter of Regis Hayes & E. H. Durell 15 Original - Petitioners.

On the motion of Mr

Durant leave granted him to file motion and petition for rule to show cause, on E. H. Durell, Judge District Court U.S. for the District of Louisiana.

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103. The First National Bank of Louisville vs. Plaintiff in error. The Commonwealth of Kentucky.

The argument of this cause was continued by Mr Pike of Counsel for the defendant in error, and concluded by Mr Wills of counsel for the plaintiff in error.

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105. The United States vs. Appellant, Lewis Merrill

This cause was argued by Mr Assistant Attorney General Talbot of counsel for the appellant, and by Mr Chipman of counsel for the appellee.

Michael Lynch dal.
106 vs. Plaintiffs in error,
Carman & Dennad dal.

The argument of this cause was commenced by Mr Ashton of counsel for the plaintiffs in error.

Proclamation being made, the Court is adjourned until Monday morning next at eleven o'clock.

Monday March 7th 1870.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Salmon P Chase, Chief Justice
Samuel Nelson
Nathan Clifford
Noah H Swayne
Samuel F Miller
David Davis
Stephen J Field
} Associate Justices

Richard C Parsons Esqre Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

Ex parte: Mark Howard Pal. Petitioner. On consideration of the

11 Original

petition and motion for a writ of peremptory mandamus filed in this cause and of the arguments of Counsel thereupon had as well in support of, as against the same

it is now here ordered by the Court that said motion be, and the same is hereby denied.

per Mr Justice Field.

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406. John V. McCollum et al vs Mark Howard & al — Appellants — On consideration of the motion to dismiss filed in this cause on the 29th of January 1870, and of the arguments of counsel thereupon had as well in support of, as against the same, it is now here ordered by the Court that said motion be, and the same is hereby denied.

per Mr Justice Field.

3111. John V. McCollum, Frederick A. Foster & Bardwell & H. S. McComb vs Mark Howard, John Weber, Joseph Emmy, Jacob Durand, Geo. Bliss, Chas. W. Durand, William Elliott Henry Lamoreux, Robert Murray, Riley Tracy, Harriet Le Conte & al — Appellants. — Appeal from the Circuit Court of the United States for the

District of Iowa

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Iowa, and was argued by counsel. On consideration whereof, it is now here ordered adjudged and decreed by this court, that this appeal be, and the same is hereby dismissed with costs.

Per Mr Justice Field.

The United States.	Appeal from
vs. Appellant	the Court
Henry Grossmayer	of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, it is now here ordered adjudged and decreed by this Court, that the decree

of the said Court of Claims in this cause be, and the same is hereby reversed. And that this cause be, and the same is hereby remanded to the said Court of Claims, with directions to enter an order dismissing the petition.

per Mr Justice Davis.

Hiram Barney, Collector for the Port of New York. vs. Plaintiff in error.
70. C. F. & C. Schneider.

In error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause, be, and

the same is hereby reversed with costs and that this cause be and the same is hereby remanded to the said Circuit Court with directions to award a venire facias de novo

per Mr Justice Miller

The Ship "D. S. Harriman" C. J. Jansen vs Joseph Emeric	Saimans Appellant	Appeal from the Circuit Court of the United States for the District of California

65

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of California, and was argued by counsel. On consideration whereof, it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs and interest until paid

at the same rate per annum that similar decrees bear in the courts of the State of California.

per Mr Justice Swayne.

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63 The Ship "Star of Hope" her tackle &c. Henry Simon Claimant. vs Appellant. William C Annan et al including also Same vs Jesse Sawyer Same vs J. Patrick & Co Same vs J. W. Embury &al as described in the decree.)

Appeal from the Circuit Court of the United States for the District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of California, and was argued by counsel. On consideration whereof, it is now here ordered adjudged and decreed by this Court, that so much of the decree of the said Circuit

Court in this cause, as respects the Willards and appellees, William C. Annan et al, - Jesse Sawyer, J Patrick & Co. and J. W. Embry et al, as described in the decree, &c. and the same is hereby reversed with Costs. And that this cause, &c. and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity with the opinion of this Court. per Mr Justice Clifford.

Joseph C Willard vs. Henry Willard and Caroline M. Willard

Appeal from the Supreme Court of the District of Columbia

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This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by Counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court, that

the decree of the said Supreme Court, in this cause be, and the same is hereby reversed with costs. and that this cause be, and the same is hereby remanded to the said Supreme Court, with directions to dismiss the bill of complaint, as to the appellant Willard.

per Mr Justice Nelson.

Joseph C. Willard	vs	Appeal from the Supreme Court of the District of Columbia.
91.	Appellant	
George G. Seabury Jr. James Sykes, and Henry H. Chadwick.		

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by Counsel. On consideration whereof, it is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court, in this cause be, and the

same is hereby reversed with costs and that this cause be and the same is hereby remanded to the said Supreme Court with directions to dismiss the bill of complaint as to the appellant Willard.

per Mr Justice Nelson

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397 Hannah Riley vs Appellant William B Wells

Of Iowa.

Appeal from the Circuit Court of the United States for the District

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Iowa, and was argued by counsel - On consideration whereof, it is now here ordered adjudged and decreed by this court, that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs - per Mr Justice Nelson

29.	The Board of Resident and Directors of the St Louis Public Schools vs Isaac Walker et al.	Plaintiffs in error.	On consideration of the motion for a hearing filed in this cause, and of the arguments of Counsel thereupon had as well in support of, as against the same it is now here ordered by the Court that said motion be, and the same is hereby denied. per Mr Chief Jus. Chase.

106	Michael Lynch et al vs Cairo & St. Louis R.R. Co. et al.	Plaintiffs in error	The argument of this cause was continued by Mr Gould of Counsel for the appellees and concluded by Mr Williams of Counsel for the appellants.

107	The Ship "Maggie Hammond" Duke Claimant vs Thomas Morland et al.	Appellant.	The argument of this cause was commenced by Mr Brown for the appellants.

Proclamation being made, the Court is adjourned until tomorrow morning at eleven o'clock.

Tuesday March 8th 1870.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase, Chief Justice.

Samuel Nelson
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
} Associate Justices.

Richard C. Parsons Esquire, Marshal.
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. George H. Pendleton it is ordered that Byrd H. Gray, Esquire of Jefferson, State of Texas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

	The Ship "Maggie Hammond" Parker Claimant.	The argument of this cause was continued by Mr A.
107	vs Appellant	
	Thomas Morland et al	

G. Brown of counsel for the appellant, by Mr Thomas and Mr Wallis of Counsel for the appellees and concluded by Mr Brune of Counsel for the appellants.

	Benjamin F. Flanders Early. Asst Sgt. Treasury Department.	The argument of this cause was commenced by Mr
108	vs Plaintiff in error	
	John F. Reed.	

Assistant Attorney General Field of counsel for the plaintiff in error.

Proclamation being made, the Court is adjourned until tomorrow morning at eleven o'clock.

Wednesday March 9th 1870.

Pursuant to adjournment the court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase, Chief Justice.

Samuel Nelson
Nathan Clifford
Noah H. Swayne — Associate
Samuel F. Miller — Justices
David Davis &
Stephen J. Field

Richard C. Parsons Esquire Marshal.
Daniel Ridgely Middleton Clerk.

Proclamation being made, the Court is opened.

On motion first made to the court in this behalf by Hon. Matt H. Carpenter it is ordered that B. F. Rice Esquire of Little Rock, Arkansas. J. J. Vilas Esquire of Milwaukie Wisconsin, and B. B. Westbrook Esquire of New York City, be admitted to practice as attorneys and counsellors of this court and they were

sworn accordingly.

Benjamin F. Flanders
Deputy Genl. Agent,
Treasury Department.
108. vs. Plaintiff in Error
John P. Sweed.

The argument of this cause was continued by Mr Hoar, Atto. General Field of counsel for the plaintiff in error, by Mr Ashton and Mr Lincoln of counsel for the defendant in error and concluded by Mr Hoar, Attorney General Field for the plaintiff in error.

Benjamin F. Flanders
Dep. Gene Agent Treasy
Department
109 vs. Plaintiff in error.
John P. Sweed.

This cause was submitted to the consideration of the Court on the record and printed arguments of Mr Hoar and Attorney General Field of counsel for the plaintiff in error, and by Mr Ashton

and Mr Lincoln of counsel for the defendant in error.

110	Thomas H. Parker vs Plaintiff in error. George Davis.	Ordered by the Court that this cause be continued to the next Term of this Court. (Per stipulation of counsel.)

111.	Samuel & Louis Hamacht vs Plaintiffs in error, Deborah Westerfield et al	This cause was argued by Mr Ensing of counsel for the plaintiffs in error, and by Mr Durant of counsel for the defendant in error.

111.	Samuel & Louis Hamacht vs Plaintiffs in error. Deborah Westerfield, wife of Cornelius Westerfield. and Peter A. H. Jackson.	In error to the Circuit Court of the United States for the District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Louisiana. Per Mr Ch. Jus. Chase.

Josiah A. Noonan
112 vs Plaintiff in error.
Alfred D. R. Bradley admr &c

The argument of this cause was commenced by Mr Carpenter of counsel for the plaintiff in error.

Proclamation being made, the Court is adjourned until tomorrow morning at Eleven o'clock.

Thursday March 10th 1870

Pursuant to adjournment, the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase Chief Justice.

Samuel Nelson
Nathan Clifford
Noah H. Swayne — Associate
Samuel F. Miller — Justices
David Davis
Stephen J. Field

Richard C. Parsons Esqre Marshal.

Daniel Wesley Middleton Clerk

Proclamation being made, the Court is opened

On motion first made to the Court in this behalf, by Hon Noah Davis, it is ordered that Elizur B Hinesdale Esquire of New York City be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Thursday March 10th 1870 continued.

Josiah A. Noonan
112 vs. Plaintiff in error.
Alfred S. P. Bradley,
administrator &c.

The argument of this cause was continued by Mr J. S. Brown of counsel for the defendant in error, and concluded by Mr J. P. Walker, of counsel for the plaintiff in error.

I. Sobrano
Plaintiff in Error.
113 vs.
I. Kellogan

This cause was argued by Mr Durant of counsel for the plaintiff in error, and submitted on printed argument by Mr Joseph P. Comer of counsel for the defendant in error.

Charles Merryman
vs. Plaintiff in error.
C. H. Bourne et al.

The argument of this cause was commenced by Mr Cushing of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Friday March 11th 1870.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase Chief Justice
Samuel Nelson
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
} Associate Justices.

Richard C. Parsons Esquire Marshal
Daniel Wesley Middleton Clerk

Proclamation being made the Court is opened.

On motion first made to the court in this behalf by Mr A. S. Merriman it is ordered that N Harrison Esquire of Salt Sulpher Springs and T. G. Putnam Esquire of Nicholas Court House State of West Virginia be admitted to practice as attorneys and counsellors of this court and they were sworn accordingly

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Wm H. Gleason, Lieut Governor of Florida 339. vs Plaintiff in error The State of Florida ex rel The Atto. General.	Mr Bullen of counsel for the plaintiff in error filed motion for leave to suggest the diminution of the record in this cause. Set for argument on Friday next.

The United States 391 vs. Appellant. William Pollard	On the motion of Mr Riddle, leave granted the Clerk to issue the mandate in this cause.

Benjamin F. Flanders Deputy General Agent, Treasury Department 108 vs Plaintiff in error John P Tweed	On the motion of Mr Lincoln leave granted him to file additional brief in this cause (and this day.)

6	Ex parte, Edward McGregor Original - Petitioner Certiorari	Petition for Habeas Corpus and

On the motion of Mr P. Phelps and consent of Mr Attorney General Hoar. it is now here ordered by the Court that this cause be, and the same is hereby dismissed.

14	Ex parte, James Graham and S. Madison Day. Original Petitioners	Motion and petition for prohibition

to the Judge of the District Court of the United States, for the District of Louisiana

On consideration of the motion and petition filed in this cause by Mr Durant of counsel for the petitioner. it is now here ordered by the court that a rule issue to the judge of the District Court

of the United States for the District of Louisiana returnable on the first Friday of April next requiring him to show cause why the prohibition should not issue agreeably to the prayer of the petitioners. and that in the meantime all further proceedings in the said District Court upon the said libel of review be stayed until the further order of this court in the premises.

Ex parte Rufus Waples, and E. H. Durant.		Motion and petition for prohibition
15 Original -	Petitioners.	

to the Judge of the District Court of the United States for the District of Louisiana.

On consideration of the motion and petition filed in this cause, by Mr Durant, of counsel for the petitioners, it is now here

ordered by the court that a rule issue to the Judge of the District Court of the United States for the District of Louisiana, returnable on the first Friday of April next, requiring him to show cause why the prohibition should not, issue agreeably to the prayer of the petitioners, and that in the meantime all further proceedings in the said District Court, upon the said libel of review be stayed until the further order of this court.

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114. James Merryman vs. Plaintiff in error
& H. Bourne et al.

The argument of this cause was continued by Mr Cushing of counsel for the plaintiff in error. by Mr Williams of counsel for the defendant in error and concluded by Mr Cushing for the plaintiff in error.

115	The United States vs. Appellant Schooner "Nonsuch" & cargo	This cause was submitted to the consideration of the Court, on the record and printed argument by Mr Assistant Attorney General Field of counsel for the appellant, no counsel appearing for the appellee.

116	The United States vs. Appellant Schooner "Rising Dawn and cargo.	This cause was submitted to the consideration of the Court on the record and printed argument by Mr Assistant Attorney General Field of counsel for the appellant, no counsel appearing for the appellee

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117	M. S. and W. G. Mepham vs Plaintiffs in error Peter Deisel	This cause was argued by Mr Dick

of counsel for the appellants and leave granted Mr Drake in behalf of Mr Leighton of counsel for the appellee to file brief in this cause on or before Saturday the 19th instant and that Mr Dick have time to file a reply thereto, on or before the following Thursday the 24th instant.

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118 | J. G. W. Fincke vs. Appellant Schooner Fairbanks &c. | The argument of this cause was commenced by Mr J. C. Carter of counsel for the appellant

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Proclamation being made the Court is adjourned until Monday morning next at eleven o'clock.

Monday March 14th 1870.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase, Chief Justice
Samuel Nelson
Nathan Clifford
Noah H. Swayne — Associate
Samuel F. Miller — Justices
David Davis
Stephen J. Field
William Strong

Richard C. Parsons Esquire Marshal
Daniel Wesley Middleton Clerk

Proclamation being made the Court is opened.

The Honorable William Strong appeared and produced the following letters patent and oath of office, which were read in open court, and ordered by the Court to be recorded on the minutes of this Court in the following words, viz:

" Ulysses S Grant.
President of the United States of America.
To all who shall these Presents Greeting:
Know Ye That reposing special trust
and confidence in the Wisdom Uprightness and Learning of William
Strong of Pennsylvania I have nominated, and by and with the advice and consent of the Senate do appoint him to be an Associate Justice of the Supreme Court of the United States and do authorize and empower him to execute and fulfil the duties of that office according to the Constitution and Laws of the said United States, and to Have and to hold the said office with all the powers privileges and emoluments to the same of right appertaining unto him the said William Strong during his good behaviour.

In testimony whereof,
I have caused these Letters

to be made patent and the seal of the United States, to be hereunto affixed. Given under my hand, at the City of Washington the eighteenth day of February, in the Year of our Lord one thousand eight hundred and seventy, and of the Independence of the United States of America the ninety-fourth.

Seal

U.S. Grant.

By the President
Hamilton Fish
Secretary of State.

I, William Strong, do solemnly swear that I will administer justice without respect to persons, and do equal right to the poor and to the rich, and that I will faithfully and impartially discharge

and perform all the duties incumbent on me, as an Associate Justice of the Supreme Court of the United States, according to the best of my abilities and understanding, agreeably to the Constitution and laws of the United States. So help me God.

W. Strong

Sworn to in open Court
this 14th day of March 1870
D. W. Middleton
Clerk Supl Court U.S.

I William Strong do solemnly swear that I will support the Constitution of the United States and that I have never voluntarily borne arms against the United States, since I have been a citizen thereof, that I have voluntarily given no aid, countenance, counsel, or encouragement to persons engaged in armed hostility thereto. That I have neither sought nor accepted nor

attempted to exercise the functions of any office whatever under any authority, or pretended authority, in hostility to the United States, that I have not yielded a vol. untary support to any pretended government, authority, power, or constitution, within the United States hostile or inimical thereto. And I do further swear that to the best of my knowledge and ability, I will support and defend the Constitution of the United States against all enemies, foreign or domestic, that I will bear true faith and allegiance to the same, that I take this obligation fully without any mental reservation, or purpose of evasion, and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God.

H. Strong.

Sworn to in open court,
this 14th day of March 1870.

C. H. Middleton
Clerk Sup. Court, U.S.

John Dent Joshua Riley and William Laird Jr. Executors of Edward M. Linthicum deceased.	In error to the Supreme Court of the District of Columbia
81 vs. Plaintiffs in error. Alexander Ray.	

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

per Mr Justice Field.

The United States	Appeal from the Court of Claims.
102. vs. Appellant Henry J. Horner.	

This cause came on to be heard.

on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, it is now here ordered adjudged and decreed by this court, that the decree of the said Court of Claims in this cause be, and the same is hereby affirmed.

per Mr Justice Swayne.

The United States		Appeal from
105	vs. Appellant	the Court
Lewis Merrill		of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, it is now here ordered adjudged and decreed by this court that the decree of the said Court of Claims in this cause be, and the same is hereby reversed. And that

This cause be and the same is hereby remanded to the said Court of Claims with directions to dismiss the petition.

per Mr Justice Clifford

The Justices of the Supreme Court of New York 3d Judicial District, for the County of Greene &c.

12 &S. Plaintiffs in error
The United States, a rel
Robert Murray and
William Buckley.

In error to the Circuit Court of the United States, for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern district of New York, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this court, that the judgment of the said

Circuit Court in this cause, be, and the same is hereby reversed with costs. And that this cause, be, and the same is hereby remanded to the said Circuit Court with directions to dismiss the writ of error, and all proceedings under it. per Mr Justice Nelson.

The Bark "Grapeshot" Geo Soye Claimant, Appellant vs. Walkerstan Mayer & Co. | Appeal from the Circuit Court of the United States for the District of Louisiana.

38

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana, and was argued by Counsel. On consideration whereof, it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this

Court be and the same is hereby reversed with costs. And that this Cause be and the same is hereby remanded to the said Circuit Court with directions to refer the accounts for repairs and supplies to Commissioners experienced in commerce and of known intelligence and probity, to ascertain under the instructions of the court what portion of the repairs and supplies actually furnished to the ship were really necessary, and for the amount thus ascertained and approved by the Court to enter decree for the libellants.

per Mr Chief Justice Chase.

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115 The United States vs Appellant
The Schooner Nonpareil &c Cargo. J H Albury master and Claimant. -

Appeal from the District Court of the United States for the Southern District of Florida.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of Florida, and was argued by counsel. On consideration whereof, it is now here ordered adjudged and decreed by this court, that this appeal be, and the same is hereby dismissed for the want of jurisdiction.

per Mr Chief Justice Chase.

The United States
110 vs Appellant
The Schooner Rising
Dawn, and Cargo.

Appeal from the District Court of the United States for the Southern District of Florida.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District

of Florida, and was argued by Counsel
On consideration whereof, it is now here
ordered adjudged and decreed by this
Court, that this appeal be and the
same is hereby dismissed for the want
of jurisdiction.

per Mr Chief Justice Chase.

Archibald P Scarlett
administrator.
15 vs Plaintiff in error.
Irvin W Fuller.

William M Farrington
36 vs Plaintiff in error
Ralph S. Saunders.
and
Henry S. Dexter
Plaintiff in error.
60 vs.
Mary K. Halleck.

Ordered by the Court that these causes be continued and stand for re-argument on the 2nd day of the next term.

118. J. G. W. Finch &c. vs. Appellant. The Schooner "Sunbanks" &c.

The argument of this cause was continued by Mr R. D. Benedict of counsel for the appellees, and by Mr Carter of counsel for the appellant.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Tuesday March 15th 1870.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Salmon P. Chase Chief Justice
Samuel Nelson
Nathan Clifford
Noah H. Swayne — Associate
Samuel F. Miller — Justices
David Davis
Stephen J. Field
William Strong.

Richard C. Parsons Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr A. Pollock it is ordered that B. F. Lee Jr. Esquire of New York City, be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

Abel Byron Boyden 119 vs. Plaintiff in error The United States.	This cause was argued by Mr Assistant Attorney General Field of counsel for the defendant in error, and submitted on printed argument by Mr Carpenter of counsel for the plaintiff in error, with leave to file an additional argument or brief.

John R. Bigelow 120 vs Plaintiff in error Douglas T. Ferrel.	The argument of this cause was commenced by Mr Willoughby of counsel for the plaintiff in error, continued by Mr Robinson of counsel for the defendant, in error, and concluded by Mr Poland of counsel for the plaintiff in error.

Tuesday March 15th 1870 Continued.

121 James G. Hallibrudon et al vs. Plaintiffs in error. The United States.

and

126 William A. Bevans vs Plaintiff in error The United States.

These causes were argued by Mr Ashton Attorney General. Field of counsel for the defendant in error,

and submitted on printed arguments by Mr Garland of counsel for the plaintiff in error.

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123 Otis K. Weed et al vs. Plaintiffs in error John H. Crane

This cause was submitted to the consideration of the court on the record and printed argument by Mr Brooks of counsel for the defendant in error. and leave granted Mr Robb to file brief by Saturday next.

William R. and Chauncey H. Snow
124 vs Plaintiffs in Error
John W. Simpson et al.

This cause was argued by Mr Fuller of counsel for the defendant in error, and submitted on printed argument by Mr F. H. Jones of counsel for the plaintiffs in error.

William R. and Chauncey H. Snow, surviving partners of Wm. R. Snow & Co.
124 vs Plaintiffs in error
John W. Simpson and Joseph E. Eaton, surviving partners of Simpson & Eaton.

In error to the Supreme Court of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court, that the judgment of the said Supreme Court

in this cause be, and the same is hereby affirmed with costs.

per Mr Chief Justice Chase

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123 | Christopher Reilly vs. William Golding. | Plaintiff in error.

This cause was argued by Mr Durant of counsel for the defendant in error, and submitted on printed argument by Mr Miles Taylor of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Wednesday March 16th 1870.

Pursuant to adjournment the court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase Chief Justice.

Samuel Nelson
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
} Associate Justices.

Richard C. Parsons Esquire Marshal.
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened

On motion first made to the court on this behalf by Mr Thomas Wilson it is ordered that John S. Vance, Esquire of New York City be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

Wednesday March 16th 1870 continued.

On motion first made to the court in this behalf by Hon C. D. Drake, it is ordered that James O Broadhead Esquire of Saint Louis, Missouri, be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly

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128 The Penn Insurance Co vs. John G Copeland. Plaintiff in error

This cause was submitted to the consideration of the court on the record and printed argument by Mr Broadhead of counsel for the plaintiff in error and by Glover Shepley and Rankin of counsel for the defendant in error.

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129. John R. Isenberger Plaintiff in error vs Edward S. Rouse.

The argument of this cause was commenced by Mr Broadhead of

Counsel for the plaintiff in error, and continued by Mr Dick and Mr Blair of Counsel for the defendant in error.

Proclamation being made, the Court is adjourned until to morrow morning at eleven o'clock.

Thursday March 17th 1870.

Pursuant to adjournment the Court met this morning at the Capitol

Present.

The Honorable Salmon P. Chase, Chief Justice.

Samuel Nelson
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
} Associate Justices.

Richard C. Parsons, Esquire, Marshal
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr S. J. Durand it is ordered that Edward Phillips Esquire of New Orleans, State of Louisiana, be admitted to practice here as an attorney and counsellor of this court and he was sworn accordingly.

Thursday March 17th 1870 Continued.

John R. Sigmberger
Plaintiff in error.
129 vs.
Edward S Rowse.

The argument of this cause was continued by Mr Blair of counsel for the defendant in error; and concluded by Mr Evarts of counsel for the plaintiff in error.

John H. McKee et al.
130 vs Plaintiff in Error,
M. A. & Rains.

The argument of this cause was commenced by Mr Durant of counsel for the plaintiff in error, continued by Mr P. Phillips of counsel for the defendant in error and concluded by Mr Durant for the plaintiff in error.

William H. Bushnell
131 vs Plaintiff in error
S. H. Kinney & Co

This cause was argued by Mr Ashton of counsel for the plaintiff in

error, and by Mr Durant of counsel for the defendant in error

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The Steamboat Suffolk County -
132 vs. Appellant
Charles E. Jaynes et al.

The argument of this cause was commenced by Mr Gardiner of counsel for the appellant.

Proclamation being made, the Court is adjourned until tomorrow morning at eleven o'clock

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Friday March 18th 1870.

Pursuant to adjournment the Court met this morning at the Capitol

Present.

The Honorable Salmon P. Chase Chief Justice
Samuel Nelson
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
} Associate justices

Richard C. Parsons Esquire. Marshal.
Daniel Wesley Middleton. Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court on this behalf by Mr P. Phillips. it is ordered that S. Preston Ross Esquire of Pittsburg State of Pennsylvania, be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

Friday March 15th 1872. Continued.

On motion just made to the Court in this behalf by Hon B. F. Butler, it is ordered that Joseph M. Gazzam Esqre of Pittsburg State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

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32 Moll Pitcell Libellant, vs. Appellant
The Steamship Potomac. | On the motion of Mr Carlisle in behalf of Counsel, has granted the Clerk to issue the mandate in this cause.

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132 The Steamboat Suffolk County. vs. Appellant
Charles E. Jayne et al. | The argument of this cause was commenced by Mr Carter of Counsel for the appellee and concluded by Mr Donohue of Counsel for the appellant.

Board of Supervisors
of Washington County
133 vs Plaintiff in error
U.S. use Clark Durand.

Board of Supervisors
of Washington County.
134 vs Plaintiff in error.
U.S. use Clark Durand.

and

Board of Supervisors
of Washington County
137 vs Plaintiff in error
U.S. use Richd Mortimer.

These causes were argued by Mr Grant of counsel for the defendant in error, and submitted on printed arguments by Mr Strong of counsel for the plaintiffs in error.

Geo. P. Burnett.
136 vs Plaintiff in error.
John M. Caldwell

This cause was argued by Mr M. Thompson of counsel for the plaintiff in error, and submitted on printed arguments by Mr Joseph E. Brown of counsel for the defendant in error.

138

Mayor and Aldermen of the City of Newport Plaintiff in error, vs. Ulysses Rufus Sage

The argument of this cause was commenced by Mr J. J Reed of Counsel for the plaintiff in error continued by Mr Grant of Counsel for the defendant in error, and Concluded by Mr Reed for the plaintiff in error.

Proclamation being made the Court is adjourned until Monday morning next at eleven o'clock.

Monday March 21st 1870.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase Chief Justice
Samuel Nelson
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Associate Justices.

Richard C. Parsons, Esquire Marshal
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon Matt. H. Carpenter, it is ordered that J. P. C. Emmons Esquire of Tallahassee State of Florida, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Monday March 21st 1870, continued.

75 Matthew Benner, executor of Cadwallader Wallace deceased vs. The United States

Appellant

Appeal from the Court of Claims

This cause came on to be heard on the transcript of the record from the Court of Claims and was argued by counsel. On consideration whereof, it is now here ordered adjudged and decreed by this Court that the decree of the said Court of Claims in this cause be, and the same is hereby reversed. And that this cause be, and the same is hereby remanded to the said Court of Claims with directions to dismiss the petition for want of jurisdiction.

per Mr Justice Davis.

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101 John B. Frisbie vs. Levi H. Whitney

Appellant

Appeal from the Supreme Court of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by Counsel. On consideration whereof, it is now here ordered, adjudged and decreed by this court, that the decree of the said Supreme Court in this cause be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Supreme Court, with directions to dismiss the bill.

Per Mr Justice Miller.

Edwin C Litchfield
170 vs Appellant
Charles P. Richard, Receiver, and Charles Emery, Receiver of the United States Land Office, at Fort Dodge Iowa.

Appeal from the Circuit Court of the United States for the District of Iowa.

Monday March 21st 1870 continued

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Iowa and was argued by Counsel. On consideration whereof, it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause, be, and the same is hereby affirmed with costs.

per Mr Justice Miller.

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144 Charles Merryman vs. Plaintiffs in Error
E. W. Keene, F. A. Woodworth, S. E. Woodworth, John Doe, Richard Roe, George Greene — Rigsley — Weltered — Tiffany, Peter Smith, Henry Jones, Thomas Stiles, James Stokes, and David Brown

In error to the Circuit Court of the United States for the District of California

This cause came on to be heard

on the transcript of the record from the Circuit Court of the United States for the District of California, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this court, that the judgment of the said Circuit Court, in this cause be, and the same is hereby affirmed with costs.

per Mr Justice Swayne.

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117 Michael Sweeney & Wm J Mepham, Appellants, vs. Peter Reiss. Appeal from the Circuit Court of the United States for the District of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Missouri, and was argued by counsel. On consideration whereof, it is now here

ordered adjudged and decreed by this court, that the decree of the said Circuit Court, in this cause be, and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar decrees bear in the Courts of the State of Missouri.

per Mr Justice Swayne

Richard W Meade admr &c. of R. W. Meade, deceased - as Appellant
vs
The United States.

Appeal from the Court of Claims

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, it is now here ordered adjudged and decreed by this court that the decree of the said Court of Claims in this cause be, and the same is hereby

affirmed.

per Mr Justice Clifford.

The Ship "Maggie Hammond" &c. Thomas Burke, claimant, Appellant vs Thomas Morland, Charles Stanhope Watson, and James Rose.

Appeal from the Circuit Court of the United States for the District of Maryland.

On the twenty fourth of August 1866. the Ship sailed from the port of Androssan Scotland bound on a voyage from that port to the port of Montreal Canada.- Previous to sailing she took on board three hundred tons of pig iron to be transported to the latter port, and there to be delivered to the libellants as stipulated in the bill of lading signed by the master. Properly manned and equipped she proceeded on her voyage until

the eighth of September following when she encountered rough weather and received such injuries that repairs became necessary and on the following day it was determined to put back, and on the 2nd month of the same month the Ship came to anchor at Milford Haven - Some examination was there made of the ship and cargo, but it was deemed best to have her towed to Cardiff, Wales where there were greater facilities for landing and storing the cargo and for repairing the vessel. Pursuant to that determination she was sent to Cardiff where her cargo was discharged and stored. Her repairs were completed on the 5th of November of that year. - Subsequently she took another cargo on board and on the twenty-first of November following sailed for Baltimore leaving the cargo of the libellants

in store at Cardiff.

Since the appeal was argued here, some doubts have arisen, whether the district Court had jurisdiction of the case, as the ship belongs to foreign owners and both parties are foreigners. Leave is therefore granted for further argument upon that point. Printed arguments may be filed in the case on or before the fifth of April next, but the arguments will be addressed to the following questions.

1. Had the libellants a lien upon the ship for the performance of the contract of affreightment, at the place where the contract was made, or by the law of the place where the contract was to be performed?

2. Did the act of the master in landing and storing the goods and accepting new employment for the ship, when the repairs

were completed, create a lien upon the ship in favor of the libellants at the place where the cargo was landed, stored and left?

3. If the libellants did not acquire any lien either by the law of the place where the contract was made or by the law of the place where the cargo was landed, stored and left, did the district court have jurisdiction of the libel and of the cause of action therein set forth?

per Mr Justice Clifford

Benjamin F Flanders
Deputy Several Agent
of the United States Treasury Department
1118 vs. Plaintiff in error
John P Jones

of Louisiana

In error to the Circuit Court of the United States for the District

This cause came on to be heard

on the transcript of the record from the Circuit Court of the United States for the District of Louisiana and was argued by Counsel On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court with directions to award a new trial in conformity with the opinion of this court.

per Mr Justice Nelson

Benjamin F. Flanders
Deputy General Agent,
of the United States Treasury Department.

vs.

John P. Theriot.

In error to the Circuit Court of the United States, for the District of Louisiana.

104

Monday March 21st 1870. continued

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana, and was argued by counsel - On consideration whereof, it is now here ordered and adjudged by this court, that the judgment of the said Circuit Court, in this cause, be and the same is hereby reversed with costs - and that this cause be and the same is hereby remanded to the said Circuit Court with directions to award a new trial in conformity with the opinion of this court.

per Mr Justice Nelson

Christopher Reilly
125 os Plaintiff in error
William Golding

In error to the Circuit Court of the United States for the District of Louisiana.

This cause came on to be heard,

on the transcript of the record from the Circuit Court of the United States for the District of Louisiana, and was argued by counsel On consideration whereof, it is now here ordered and adjudged by this court, that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs and interest until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Louisiana

per Mr Justice Nelson.

Henry M. Bennett vs. Plaintiff in Error Alexander Hunter of Virginia.	In error to the Supreme Court of Appeals of the State

This cause came on to be heard on the transcript of the record from the Supreme Court of Appeals of

the State of Virginia, and was argued by Counsel On consideration whereof, it is now here ordered and adjudged by this Court, that the judgment of the said Supreme Court of Appeals in this cause be, and the same is hereby affirmed with costs.

per Mr Chief Justice Chase.

Henry S. Martin
305. vs. Plaintiff in error,
Robert Beverly and
Edgar Snowden.

In error to the Supreme Court of Appeals of the State of Virginia.

This cause came on to be heard on the transcript of the record from the Supreme Court of Appeals of the State of Virginia, and was argued by Counsel On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said

on the transcript of the record from the Circuit Court of the United States for the District of Louisiana and was argued by Counsel On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court with directions to award a new trial in conformity with the opinion of this Court.

per Mr Justice Nelson

Benjamin F. Flanders
Deputy General Agent,
of the United States Treasury Department.
vs. Plaintiffs in error
John P. Freed. } to the Circuit Court of the United States for the District of Louisiana.

Monday March 21st 1870. continued

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana, and was argued by counsel - On consideration whereof, it is now here ordered and adjudged by this court, that the judgment of the said Circuit Court, in this cause, be and the same is hereby reversed with costs - and that this cause be and the same is hereby remanded to the said Circuit Court with directions to award a new trial in conformity with the opinion of this court.

per Mr Justice Nelson

Christopher Reilly
125 08 Plaintiff in error
William Golding.

In error to the Circuit Court of the United States for the District of Louisiana.

This cause came on to be heard,

on the transcript of the record from the Circuit Court of the United States for the District of Louisiana, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this court, that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs and interest until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Louisiana

per Mr Justice Nelson.

Henry M. Bennett vs. Plaintiff in error Alexander Hunter of Virginia.	In error to the Supreme Court of Appeals of the State

This cause came on to be heard on the transcript of the record from the Supreme Court of Appeals of

the State of Virginia, and was argued by Counsel On consideration whereof, it is now here ordered and adjudged by this Court, that the judgment of the said Supreme Court of Appeals in this cause be, and the same is hereby affirmed with costs.

per Mr Chief Justice Chase.

Henry S. Marlen
315. vs. Plaintiff in error,
Robert Bowdy and
Edgar Snowden.

In error to the Supreme Court of Appeals of the State of Virginia.

This cause came on to be heard on the transcript of the record from the Supreme Court of Appeals of the State of Virginia, and was argued by Counsel On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said

Supreme Court of Appeals, in this cause, be, and the same is hereby affirmed with costs.

per Mr Chief Justice Chase.

Robert Portner &c
Frederick Reeker.
360 vs. Plaintiffs in error
William G. Cagman.

In error to the Supreme Court of Appeals of the State of Virginia.

This cause came on to be heard on the transcript of the record from the Supreme Court of Appeals of the State of Virginia, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court of Appeals in this cause, be, and the same is hereby affirmed with costs.

per Mr Chief Justice Chase.

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403 The Western Union Railroad Company vs. Plaintiff in error John M. Stewart | In error to the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois and on the motion of Mr Cary, of counsel for the plaintiff in error, and stipulation on file, it is now here ordered and adjudged by this court, that this writ of error, be, and the same is hereby dismissed, without costs to either party.

per Mr Chief Justice Chase

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404 The Western Union Railroad Company vs Plaintiff in error Sydney M. Kubbell | In error to the Circuit Court of the United States for the

Northern District of Illinois

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States, for the Northern District of Illinois, and on the motion of Mr Cary of counsel for the plaintiff in error, and stipulation on file, it is now here ordered and adjudged by this Court, that this writ of error be, and the same is hereby dismissed without costs to either party.

per Mr Chief Justice Chase

Order of Court.

Amendment to Rule No 67 Equity.

Where the evidence to be adduced in a cause, is to be taken orally, as provided in the order passed at the December Term 1861 amending the 67th General Rule, the court may on motion of either party assign a time within which the

complainant shall take his evidence in support of the bill, and a time thereafter within which the defendant shall take his evidence in defence, and a time thereafter within which the complainant shall take his evidence in replyand no further evidence shall be taken in the cause, unless by agreement of the parties or by leave of court first obtained, on motion for cause shown.

Order of Court

Now having been an Associate Justice of this Court appointed since the commencement of this term, it is ordered that the following allotment be made of the Chief Justice and Associate Justices of said Court among the Circuits, agreeably to the act of Congress, in such case made and provided and that such allotment be entered of record, viz:

For the first Circuit, Nathan Clifford, Associate Justice
For the second Circuit, Samuel Nelson, Associate Justice
For the third Circuit, William Strong, Associate Justice
For the fourth Circuit, Salmon P. Chase, Chief Justice
For the fifth Circuit, Associate Justice
For the sixth Circuit, Noah H. Swayne, Associate Justice
For the seventh Circuit, David Davis, Associate Justice
For the Eighth Circuit, Samuel F. Miller, Associate Justice
For the ninth Circuit, Stephen J. Field, Associate Justice.

And it is further ordered that the Hon. Noah H. Swayne, Associate Justice of this Court, be and he hereby is allotted to the 5th Circuit in addition to the 6th Circuit.

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139 The Steamboat "Rocket" v. Barge "Pat Brady" vs The Home Insurance Company. and The Steamboat "Northern Belle" and Barge "Pat Brady" vs John Robson. Appellants

Fifty cases were argued by Mr Carey of Counsel for the appellants & by Mr Emmons of Counsel for the appellees.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Tuesday March 22nd 1870.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase Chief Justice
Samuel Nelson
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Associate Justices.

Richard C. Parsons Esquire Marshal.
Daniel Wesley Middleton Clerk

Proclamation being made the Court is opened.

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140. The Steamboat "Keokuk" and Barge "Turley" vs. Appellants
John Robeson

The cause was argued by Mr Evarts of counsel for the appellant, and by Mr Emmons of counsel for the appellee.

Tuesday March 22nd 1870 Continued

The City of Kenosha"	This cause was
1111 U.S. Plaintiff in error	argued by Mr
Alonzo Campbell.	Cary of coun
	sel for the ap-

pellant, and by Mr Sloane of counsel for the appellee.

The City of Kenosha	The argument
112 vs Plaintiff in error,	of these causes
Joshua T. Samson.	was com-
and	menced by
The City of Kenosha	Mr Cary
113 U.S Plaintiff in error	of counsel
Joshua T. Samson	for the plain-
	tiff in error.

Proclamation being made, the Court is adjourned until tomorrow morning at eleven o'clock.

Wednesday March 23rd 1870.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase, Chief Justice.

Samuel Nelson
Nathan Clifford
Noah H Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley

Associate Justices

Richard C. Parsons Esquire Marshal
Daniel Henry Middleton, Clerk.

Proclamation being made the Court is opened.

The Honorable Joseph P Bradley appeared and produced the following Letters Patent and Oath of Office which were read in open Court and ordered by the Court to be recorded on the Minutes of this Court in the following words viz:

"Ulysses S. Grant,
President of the United States of America
To all who shall see these Presents, Greeting:
Know Ye, That reposing special
trust and confidence in the Wis-
dom, Uprightness, and Learning
of Joseph P. Bradley, of New Jer-
sey, I have nominated, and by and
with the advice and consent of the
Senate, do appoint him to be an
Associate Justice of the Supreme Court
of the United States; and do authorize
and empower him to execute and fulfil
the duties of that Office, according to
the Constitution and Laws of the said
United States, and to Have and to
Hold the said Office with all the
powers privileges and emoluments to
the same of right appertaining unto
Him the said Joseph P. Bradley, dur-
ing his good behaviour.

In testimony whereof, I
have caused these Letters to
be made Patent, and the seal
of the United States to be

hereunto affixed.

Given under my hand at the City of Washington the Twenty-first day of March in the year of our Lord One thousand eight hundred and seventy and of the Independence of the United States of America the Ninety fourth.

U. S Grant.

By the President
Hamilton Fish
Secretary of State.

I Joseph P Bradley do solemnly swear that I will administer justice without respect to persons, and do equal justice to the poor, and to the rich, and that I will faithfully and impartially discharge and perform all the duties incumbent on me, as an Associate Justice of the Supreme Court of the United States according to the best of my abilities and understanding, agreeably to the Constitution and Laws of the United States. So help

Wednesday March 23rd 1870 Held.

God

Joseph P. Bradley.

Sworn to, in open court,
this 23rd day of March 70.
J. W. Middleton
Clerk Supreme Ct U.S.

I Joseph P. Bradley, do sol-
emnly swear, that I have never vol-
untarily borne arms against the Unit-
ed States, since I have been a
citizen thereof; that I have volun-
tarily given no aid, countenance
counsel, or encouragement, to per-
sons engaged in armed hostility
thereto; that I have neither sought
nor accepted, nor attempted to
exercise the function of any office
whatever, under any authority, or
pretended authority in hostility to
the United States; that I have not
yielded a voluntary support to any
pretended government, authority, pow-
er or constitution, within the United

States, hostile or inimical thereto. And I do further swear that to the best of my knowledge and ability I will support and defend the Constitution of the United States against all enemies foreign and domestic, that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion, and that I will well & faithfully discharge the duties of the office on which I am about to enter. So help me God.

Joseph P. Bradley

Sworn to, in open court,
this 23rd day of March, 1870
R. T. Middleton
Clerk Sup Court U.S.

On motion first made to the court in this behalf by Honorable E. R. Hoar, Attorney General, it is ordered that J. T. Southworth,

Esquire of Mobile State of Alabama, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

16	The Commonwealth of Pennsylvania. Original. Plaintiff's vs The Quicksilver Mining Company.	On motion of Mr F. Carroll Brewster Attorney General of Pennsylvania

the Court do hereby allow a summons in Debt to issue against the Quicksilver Mining Company of Pennsylvania, and the Court order that said writ be made returnable to the first Monday of December A.D. 1870

1412	The City of Kenosha Pl'ff in error, vs Joshua F. Samson and The City of Kenosha Pl'ff in error vs Joshua F. Samson	The argument of these causes was continued by Mr Cary of Counsel for the
1413.		

plaintiffs in error by Mr Curtenius of counsel for the defendants in error, and concluded by Mr Young for the plaintiffs in error.

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145 The Michigan Insurance Bank vs Plaintiff in Error Amos Eldred. | The argument of this cause was commenced by Mr Lynde of counsel for the plaintiff in error, continued by Mr Gray of counsel for the defendant in error, and concluded by Mr Lynde for the plaintiff in error.

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146. The Town of Erie vs Plaintiff in error Erastus Corning. | Ordered by the court that this cause, be, and the same is hereby continued to the next term.

	The Schooner "Gray Eagle" &c		The argument of this cause was commenced
	Guido Pfeister Claimant		
1118.	vs	Appellant	
	John Greening et al		

by Mr Emmons of counsel for the appellant

Proclamation being made, the Court is adjourned until tomorrow morning at eleven o'clock.

Thursday March 24th 1870.

Pursuant to adjournment the court met this morning at the Capitol

Present

The Honorable Salmon P. Chase, Chief Justice.

Samuel Nelson
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley

} Associate Justices

Richard C. Parsons Esquire Marshal
Daniel Wesley Middleton Clerk

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr H. P. Usher, it is ordered that E. C. Banks Esquire of Lawrence, State of Kansas be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr Attorney General Hoar, it is ordered that James H Shaw Esquire of Brooklyn, State of New York, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

The Schooner "Grey Eagle" &c
Guido Pfeiffer, Claimant
148. vs. Appellant
John Greening et al.

The argument of this cause was continued by Mr Emmons of counsel for the appellants, by Mr Pelby of counsel for the appellees and concluded by Mr Emmons for the appellants.

The Propeller "Alleghany" &c
147 vs. Appellant
Sarah S. Patterson et al.

This cause was argued by Mr Emmons of counsel for the appellees, and on the motion of Mr Carpenter in

behalf of the appellants, it is ordered by the Court, that leave be granted the Counsel for the appellants to file a brief or printed argument in ten days from this date, and that ten days be also granted the Counsel for the appellees, after the filing of the appellants brief, to file a reply thereto, or within twenty days from this date.

David H. Jones vs Matthew Bates. | This cause was submitted to the consideration of the Court on the record and printed argument by Mr Carpenter of Counsel for the appellee.

1149.

Henry Nisi Jr. vs. Edward F. Ellis. | This cause was argued by Mr Carpenter of Counsel for the defendant, and submitted on printed argument

150

by Mr Walker of counsel for the plaintiffs.

J. Edgar Thompson 151. vs Complainant. The Union Pacific Railroad Company Eastern Division.	The argument of this cause was commenced by Mr Walker of counsel for the complainant.

Proclamation being made, the Court is adjourned until tomorrow morning at eleven o'clock.

Friday March 25th 1870.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Salmon P. Chase Chief Justice.

Samuel Nelson
Nathan Clifford
Noah H. Swayne
Samuel F. Miller — Associate
David Davis — Justices
Stephen J. Field
William Strong &c
Joseph P. Bradley

Richard C. Parsons, Esquire Marshal
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon J. A. Griswold it is ordered that A. Schoonmaker Junior Esquire of Kingston State of New York, be admitted to practice as an attorney & counsellor of this Court. And he was sworn accordingly.

On motion first made to the Court in this behalf by Hon Mall McCarpenter, it is ordered that N. McCathren Esquire of Mineral Point, State of Wisconsin, be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

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318. The United States vs. Plaintiffs
James Tynen
and
John Tigen and
George Kennard
435 vs. Pltfs in error
The United States

On motion of Mr Attorney General Kear, it is now here ordered by the Court that these cases be advanced on the docket and set down for argument, on the 12th day of April next.

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6 O. B. & O. S. Latham
vs Appellant
The United States.
and
Israel Deming
7 vs. Appellant
The United States.

Mr Attorney General Hoar moved the Court, to fix a day certain for the argument of these cases. Whereupon this court not being now here sufficiently advised of, and concerning what order to render in the premises took time to consider.

The Atna Insurance Co.
265 &c. Plaintiff in error
P. C. and R. S. Taylor,
and L. Butterfield,

In error to the Circuit Court of the United States, for the District of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Missouri, and on the stipulation of counsel on file.

and motion of Mr Shenton, it is now here ordered and adjudged by this Court that this writ of error be, and the same is hereby dismissed with costs.

per Mr Chief Jus Chase.

The United States,	Appeal from
357 vs Appellant	the Court of
Henry Wayne.	Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and on the stipulation of counsel for the respective parties on file, and motion of Mr Hale, it is now here ordered adjudged and decreed by this Court that this appeal be, and the same is hereby dismissed.

per Mr Chief Justice Chase.

The United States	Appeal from
361 vs Appellant,	the Court
Joseph Mintz & Simon Fass.	of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and on the stipulation of Counsel for the respective parties on file, and motion of Mr Hale, it is now here ordered adjudged and decreed by this Court that this appeal be, and the same is hereby dismissed.

per Mr Chief Justice Chase.

307.	The United States vs. Charles J. Quimby.	Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and on the stipulation of Counsel for the respective parties on file, and motion of Mr Hale, it is now here ordered adjudged & decreed by this court that this appeal be and the same is hereby dismissed. per Mr Chf Jus. Chase.

368 | The United States vs. Appellants Thos. Hayes. | Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and on the stipulation of counsel for the respective parties on file, and motion of Mr Hale, it is now here ordered adjudged and decreed by this Court that this appeal be, and the same is hereby dismissed.

Per Mr Chief Jus. Chase.

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131 | J Edgar Thompson vs Complainant The Union Pacific Railroad Company (Et al) | The argument of this cause was continued by Mr Bond of counsel for the defendants, and concluded by Mr Attorney General Hoar of counsel for the complainants.

339	William H. Gleason Lieut. Governor of Florida vs. Plaintiff in error The State of Florida, & ors. Defendants in error	The motion filed in this cause on the 11th inst. by Mr Dillon for leave to suggest the diminution of the record, was argued by him in support thereof, and by Mr Knox in opposition thereto.

211	Isaac N. Swann vs Stephen A. Simmons et al. Appellant	On the motion of Mr Carpenter to consolidated the Clerk to issue the mandate in this cause.

136	Geo. P. Burnett vs. John M. M. Caldwell Plaintiff in error.	Mr Thompson of counsel for the plaintiff in error filed stipulation of counsel to amend or correct defect in Bill of Exceptions.

Liverpool, New York and Philadelphia Steamship Company. 152 vs. Whelland H. P. Simmons et al.

The argument of this cause was commenced by Mr Buckley of counsel for the appellants.

Proclamation being made, the Court is adjourned until Monday morning next at eleven o'clock.

Monday March 28th 1870.

Pursuant to adjournment the court met this morning at the Capitol

Present.

The Honorable Salmon P. Chase, Chief Justice
Samuel Nelson
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Associate Justices.

Richard C. Parsons Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the court is opened.

John R. Bigelow, Plaintiff in error,
vs
Douglass F. Forrest, Defendant in error.

No. 126

In error to the Supreme Court of Appeals of the State of Virginia.

This cause came on to be heard on the transcript of the record from

the Supreme Court of Appeals of the State of Virginia, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court, that the judgment of the said Supreme Court of Appeals in this cause be, and the same is hereby affirmed with costs.

Per Mr Justice Strong.

J. Lobrano 113 vs. Plff in error J. Milligan.	In error to the Supreme Court of the State of Louisiana.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court, that the judgment of the said Supreme Court, in this cause, be, and the same is hereby affirmed with costs and in-

least until paid at the same rate per annum that similar judgments bear in the courts of the State of Louisiana.

Per Mr Justice Davis

The First National Bank of Louisville.	In error to the Court of Appeals of the State of Kentucky.
103. vs Plaintiff in error.	
The Commonwealth of Kentucky.	

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Kentucky, and was argued by Counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause, be, and the same is hereby affirmed with costs. Per Mr Jus. Miller, Dissenting: Nelson C.J.

138 The Mayor &c Aldermen of the City of Davenport vs Plaintiff in error. The United States, ex rel Rufus L. Lord. — In error to the Circuit Court of the United States for the District of Iowa.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States, for the District of Iowa, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said Circuit Court, in this cause, be, and the same is hereby affirmed with costs.

per Mr Justice Swayne.

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185 J. G. W. Fincke vs Appellant The Steamboat Midlands &c. Lockie &c, The N.Y. and Washington Steamboat Company, Claimants. — Appeal from the Circuit Court of the United States, for the Southern District of New York.

Monday March 28th 1870. Continued

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by Counsel On consideration whereof, it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby reversed with costs and that this cause be and the same is hereby remanded to the said Circuit Court with directions to affirm the decree of the District Court.

per Mr Justice Clifford

The Steamboat "James Guy" her tackle &c. William J Healy, Claimant		Appeal from the Circuit Court of the United States for
37	vs	Appellant
	Young Jacob	

the Eastern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of New York, and was argued by Counsel. On consideration whereof, it is now here ordered adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar decrees bear in the courts of the State of New York.

Per Mr Chief Justice Chase.

James P. Boylan
66 vs Plaintiff in error
The United States.

In error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record

Monday March 28th. 1870. Contin

from the Circuit Court of the Uni
ted States for the Southern District
of New York, and was argued
by Counsel. On consideration
whereof, it is now here ordered
and adjudged by this Court, that
the judgment of the said Circuit
Court in this cause, be and the
same is hereby affirmed.

per Mr Chief Justice Chase

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367 The United States vs Appellant
Charles J. Dunning.
and
368 The United States vs Appellant
Philip Hayes

On motion
of Mr Cooley
leave granted
the Clerk
to issue
the mandates
in these
cases.

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163. William Downing vs Appellant
James McCartney & al.

Mr Hughes
of Counsel
for the ap
pellee filed
motion to dismiss this appeal.

Monday March 28th 1870 Continued.

Liverpool, New York and Phila. S.S. Co. 132 vs Appellants H.P. Simmons et al.	The argument of this cause was continued by Mr Buckley of counsel for the appellants - by Mr Owen of counsel for the appellees, and by Mr Benedict of counsel for the appellants.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Tuesday March 29th 1870

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Salmon P Chase Chief Justice
Samuel Nelson
Nathan Clifford
Noah H Swayne
Samuel F Miller
David Davis
Stephen J Field
William Strong
Joseph P Bradley
Associate Justices

Richard C Parsons Esquire Marshal.
Daniel Hasley Middleton Clerk.

Proclamation being made, the Court is opened

On motion first made to the Court in this behalf by Mr A G Riddle, it is ordered that Jason Canfield Esquire of Cleveland State of Ohio, be admitted to practice as an attorney & counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court on this behalf by Mr James M. Carlisle, it is ordered that L. S. Broad Esquire of Alexandria State of Virginia be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Liverpool New York and Philadelphia Steamship Company
152 vs Appellants
The United States,

The argument of this cause was concluded by Mr R. T. Benedict of counsel for the appellants.

A. P. Dailey et al
153 vs Plaintiffs in error
P. K. Harrison

Ordered by the Court that this cause be, and the same is hereby continued to the next term.

Tuesday March 29th 1870. Continued

Henry B. Tyler 154 vs. Plaintiff in error John D. Defrees.	The argument of this cause was commenced by Mr Brent of Counsel for the plaintiff in error, Continued by Mr Riddle of counsel for the defendant in error, and concluded by Mr Merrick of counsel for the plaintiff in error.

Proclamation being made, the Court is adjourned until tomorrow morning at eleven o'clock.

On motion first made to the Court on this behalf by Mr James M. Carlisle, it is ordered that L. S. Snead Esquire of Alexandria, State of Virginia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

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152 Liverpool, New York, and Philadelphia Steamship Company vs. The United States, Appellants

The argument of this cause was concluded by Mr R. T. Merrick of counsel for the appellants.

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153 A. B. Seelye et al. vs. R. K. Harrison, Plaintiff in error

Ordered by the Court that this cause be, and the same is hereby continued to the next term.

Tuesday March 29th 1870. Continued

Henry B Tyler 154. vs. Plaintiff in error John D. Defrees.	The argument of this cause was commenced by Mr Britt of Counsel for the plaintiff in error, Continued by Mr Riddle of counsel for the defendant in error, and concluded by Mr Merrick of counsel for the plaintiff in error.

Proclamation being made, the Court is adjourned until tomorrow morning at eleven o'clock.

Wednesday March 2d 1870.

Pursuant to adjournment the court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase, Chief Justice.

Samuel Nelson
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices

Richard C. Parsons Esquire Marshal.
Daniel Wesley Middleton, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. C. Donohue, it is ordered that Thomas L. Wakefield Esquire of Boston State of Massa. chusetts be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

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155 Joel B. Green et al vs. The United States. Plaintiffs in error	This cause was submitted to the consideration of the Court on the record and printed argument by Mr Fox of counsel for the plffs in error, and by Mr Asst Atty Gen'l Field of counsel for the deft, in error.

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156 Lucius Hoxie et al vs. Appellants. Jesse B. Wilkinson et al.	The argument of this cause was commenced by Mr R. J. Brent, of counsel for the appellants continued by Mr Cox and Mr Partridge of counsel for the appellee, and concluded by Mr W. A. Maury of counsel for the appellants.

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157 The Steamship Quickstep Co. vs. Appellant Christopher Byrnes	The argument of this cause was commenced by Mr C. P. Monroe of counsel for the appellants.

Proclamation being made, the Court is adjourned until tomorrow morning at eleven o'clock.

Thursday March 31st 1870.

Pursuant to adjournment the Court met this morning at the Capitol

Present.

The Honorable Salmon P. Chase Chief Justice.

Samuel Nelson	
Nathan Clifford	
Noah H. Swayne	
Samuel F. Miller	Associate
David Davis	Justices
Stephen J. Field	
William Strong	
Joseph P. Bradley	

Richard C. Parsons Esquire Marshal

David Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court on this behalf by Mr Assistant Attorney General Field, it is ordered that Henry D. Hoyle Esquire of Boston State of Massachusetts be admitted to practice as an attorney and counsellor of this Court and

he was sworn accordingly.

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6 O B & O Stetham vs. Appellants
The United States

And

7 Grace Deming vs. Appellant
The United States

The motion of Mr Attorney Gen'l Hoar to assign a day for the Argument of these cases upon the question of the constitutionality of the legal tender act, was argued by the Attorney General in support thereof, and by Mr Carlisle in opposition thereto, Whereupon this Court not being now here sufficiently advised of, and concurring what order to render in the premises but time to consider

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157 The Steamship Quaker City &c. vs. Appellant
Christopher Byrne.

The argument of this Cause

was continued by Mr Donohue of counsel for the appellant, by Mr Carter of counsel for the appellee and concluded by Mr Donohue for the appellants.

Elizabeth S. Price 158 vs. Appellant, Walter S. Cox. Trustee &c.	The motion to dismiss this cause was argued by Mr Coombs in support of the same whereupon this Court not being now here sufficiently advised of, and concerning what order to render in the premises took time to consider.

Lincoln Clark et ux. 159 vs. Plaintiffs John Scofield.	The argument of this cause was commenced by

Mr Riley of counsel for the appellants

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Friday April 1st 1870.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase Chief Justice

Samuel Nelson
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley

Associate Justices.

Richard C. Parsons, Esquire Marshal
Daniel Wesley Middleton Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr Attorney General Hoar, it is ordered that George Leach Roberts Esquire of Boston State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court

Friday April 1st

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(on motion ferd
on this behalf by
bois it is ordered
Square of San F
California be adm
as an attorney a
this Court, and
Cordingly.

C. S. Sullivan
vs
Appellants
The United States
and
Isaac Young
vs Appellant.
The United States

the Court that there was no
questions involved in the ca
of this term.
Dismissing the Cha
claim, the proper Offi

...wown according).

... made to the Court
... Mr James Mc Car-
...ehat Mc. H. Hurlbut,
...Francisco, State of
...mitted to practice
...nd Counsellor of
...he was sworn.

The Chief Justice
announced the follow-
ing Order.
In consideration of the
motion of the Attorney Gen-
eral, and of the arguments of
Counsel thereupon had, it
is now here ordered by
...ed down for hearing, on the
...ered on the 2nd Monday in April

...f Justice Chase, Mr Justice
...nd Mr Justice Field.

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7

Friday April 1st

Kenneth H. Worley

413 vs Plaintiff in Error

Commissioners of Mare

County.

in this cause du

Tem- motion set

Friday next the 8th

The United States

1438. vs Appellant

Edward Tunstford.

of Wm Carlisle, E

ordered by the Co

cause be advance

and set down for

20th of April inst

The United States

361. vs. Appellant

Joseph Mintz et al

Henry granted the

mandate in this cause

Mr Boyer filed
motion, that
leave be granted
the Clerk to issue
the mandate
ning the present
for argument on
instant.

On motion of
Mr Attorney
General Hoar,
and consent
it is now here
ered that this
ed on the docket.
hearing on the
ant.

On motion of
Mr Corley and
consent of Mr
Hale, leave is
Clerk to issue the
during the present term

The Merchants National Bank of Boston
175 vs Plaintiff in error
The State National Bank

On motion of Mr Earle it is now here ordered by the Court that three counsel be allowed to each party in the argument of this cause, and that no additional time will be granted, and that Counsel may divide the usual time allowed by the rules, as they may see fit.

The State of Missouri
Orig'l vs Complainant
The State of Kentucky

Mr Dick moved the Court to set this cause for hearing on Monday the 18th of April 1870. or some other day during the present term. which motion was denied.

The State of Missouri
2 Orig'l vs Complainant
The State of Kentucky

On consideration of the written agreement, filed by Counsel for the respective parties. it is now here

ordered by the court that on the argument of this cause either party may present any book, document, chart or other paper, in the nature of public or general history, or copy thereof subject to all exceptions by the opposite party: and the party wishing to use the same, having given the other party reasonable notice as to time, and description of the book, document or chart, or other paper or copy thereof proposed to be used. The copy above spoken of may be restricted to so much of the original as is pertinent to the subject matter of this suit.

The State of Missouri
2 orig. vs. Complainant
The State of Kentucky.

It is now here ordered by the court per agreement of the parties, that this cause, be, and the same is hereby continued to the next term of this Court.

Friday April 1st 1870 Continued

The United States vs. John H. Fain	Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and on the stipulation of counsel for the respective parties on file, and motion of Mr Hale. It is now here ordered adjudged and decreed by this Court that this appeal be, and the same is hereby dismissed.

per Mr Chief Justice Chase.

The United States vs Appellant Charles K. Seifass	Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and on the stipulation of counsel for the respective parties on file, and motion of Mr Hale, it is now here ordered

adjudged and decreed by this Court, that this appeal be, and the same is hereby dismissed.

per Mr Chief Justice Chase.

389	The United States vs. Edward Fordham	Appeal from the Court of Claims.

This cause came on to be heard, on the transcript of the record from the Court of Claims, and on the submission of counsel for the respective parties on file, and motion of Mr Hine, it is now here ordered adjudged and decreed by this Court, that this appeal be, and the same is hereby dismissed.

per Mr Chief Justice Chase.

364	The United States vs Appellant Asher Hynes.	Mr Hine (special counsel for appellants) filed motion to remand the record in this cause.

33	John E. Neale vs Appellant Benjamin J. Nealeas	On motion of Mr Webb and consent of Mr Davidge leave granted the Clerk to issue the mandate in this cause.

253	The City of Chicago vs Appellant Isaac Cressey	Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and on the stipulation of counsel for the respective parties on file, and motion of Mr Gaudy, it is now here ordered adjudged and decreed by this court, that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs. per Mr Chief Justice Chase

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254	The City of Chicago vs James H Wilson	Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and on the stipulation of counsel for the respective parties on file, and motion of Mr Grady it is now here ordered adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

per Mr Chief Justice Chase.

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14 orig.	Ex parte James Graham and L. Madison Day. - Petitioners. and	Mr Durant called up these cases and it appearing,
15 orig.	Ex parte Rufus Waples and E. W. Burbank - Petitioners.	

to the court that the Honorable judge Durell should be allowed further time to make his return it is now here ordered that the cases be postponed until Friday next the 8th instant.

William H. Gleason Lieut Gov. of Florida vs Plaintiff in error. The State of Florida ex rel. The Atto. General.	The motion filed in this cause by Mr Butler for leave to suggest the

339.

diminution of the record, was argued by him in support thereof. and by Mr Howe in opposition thereto.

Dudan Clark et al. vs Plaintiffs	The argument of this cause was continued by

159.

Mr Canfield of counsel for the plaintiffs, and concluded by Mr Willey of counsel for the defendants.

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160. John J. Nichony vs. The United States. Appellant

This cause was argued by Mr J. J. D. Fuller of counsel for the appellant, the court declining to hear counsel for the appellee.

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161 Joseph Sales, Survivor &c. vs. David M. Osborne et al. Plaintiff in error.

This cause was argued by Mr Hyde, Mr Todd, Field of counsel for the plaintiff in error and by Mr D. Wright of counsel for the defendant in error

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162 The Propeller "Portsmouth" Frank Williams Claimant, vs The Salt Company of Onondaga. Appellant

This cause was argued by Mr Comstock of counsel for the appellee - no counsel appearing for the appellant.

Proclamation being made, the court is adjourned until Monday morning next at eleven o'clock.

Monday April 4th 1870.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase, Chief Justice.
Samuel Nelson
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley.
} Associate Justices.

Richard C. Parsons Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

No. 133 The Board of Supervisors of the County of Washington Plaintiff in error vs. Merrill Clark Quants. U.S. Circuit Court for the District of Iowa.

In error to the Circuit Court of the United States for the Dis-

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Iowa, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

Per Mr Justice Strong.

The Board of Supervisors of the County of Washington
134 vs. Plaintiff in error,
The U.S. ex rel Clark Durant.

In error to the Circuit Court of the United States for the District of Iowa.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Iowa, and was argued by Counsel. On consideration whereof, it is now here ordered

and adjudged by this Court, that the judgment of the said Circuit Court, in this cause, be, and the same is hereby affirmed with costs.

Per Mr Justice Strong.

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137 The Board of Supervisors of Washington County vs. The U.S. ex rel Reid Mortimer. | In error to the Circuit Court of the United States for the District of Iowa.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Iowa, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

Per Mr justice Strong.

106	Michael Lynch Leopold Siegel, Andrew Borgerds, Isadore Bernamayous, Ebenezer Morrell, Louis Hance, & John Doe. vs. Plaintiffs in error. Conrad S. De Bernal Jose De Jesus Bernal.	In error to the Supreme Court of the State of California.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of California, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

per Mr Justice Field.

129	John R. Lionberger vs. Plaintiff in error. Edward S. Rouse.	In error to the Supreme Court of the State of Missouri.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Missouri, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

per Mr Justice Davis.

The Steamboat Support Co. for Locke &c. The East River Ferry Company, Claimants
132 vs. Appellants.
Charles E. Jaynes, John Schenck, William H. Crawston, Lewis L. Davis, Edward Smith, Samuel Fairchild,

Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York.

and was argued by Counsel. On consideration whereof, it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court, in this cause be and the same is hereby affirmed with costs.

per Mr Justice Miller.

Richard Roe, Lessee of John and George T. Barnett, tenant in possession.

136 vs Plaintiff in error,

John Doe, alias John M. McCaldwell.

In error to the District Court of the United States for the Southern District of Georgia.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of Georgia and was argued by Counsel. On consideration whereof, it is now here ordered and adjudged by this Court, that the judgment of

the said District Court in this cause be and the same is hereby affirmed with costs.

per Mr Justice Swayne

William Gunton and John F. Callan, Surviving Trustees of the Bank of Washington	Appeal from the Supreme Court of the District of Columbia.
511 vs Appellants	
Joseph Nock.	

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof, it is now here ordered adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

per Mr justice Clifford.

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142 The City of Kenosha vs Plaintiff in error Joshua F. Samson. In error to the Circuit Court of the United States, for the District of Wisconsin.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Wisconsin and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court, in this cause, be, and the same is hereby affirmed with costs, and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Wisconsin.

per Mr Justice Nelson

Dissenting

Mr Justice Miller.

Monday April 11th 1870. Continued

The City of Kenosha		In error to the
113 vs	Plaintiffs in error	Circuit Court
Joshua T. Samson.		of the United
		States for the

District of Wisconsin

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States, for the District of Wisconsin, and was argued by counsel. On consideration whereof it is now here ordered & adjudged by this court, that the judgment of the said Circuit Court in this cause, be and the same is hereby affirmed with costs, and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Wisconsin.

per Mr Justice Nelson

(Dissenting)

Mr Justice Miller

Monday April 11th 1870. continued.

Chs H. Ward and Chas Sherman Co partners as C H Ward & Company.	In error to the Circuit Court of the United States for the
123. vs Plaintiffs in error	District of
John H. Crane.	Massachusetts.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and was argued by Counsel On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs and interest on the said judgment at the same rate per annum that similar judgments bear in the Courts of the State of Massachusetts.

per Mr Chief Justice Chase

John H. McKee, David R. Goodwin, Benjamin H. Huntington, and John P. Cady. vs. Plaintiffs in error. M. A. C. Rains.

In error to the Circuit Court of the United States for the District of Louisiana.

130

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said Circuit Court, in this cause be, and the same is hereby affirmed with costs. per Mr Chief Justice Chase.

The City of Kenosha vs. Alonzo Campbell. Plaintiff in error.

In error to the Circuit Court of the United States.

1144

for the District of Wisconsin.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Wisconsin, and was argued by Counsel On consideration whereof, it is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court, in this cause, be, and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Wisconsin.

per Mr Chief Justice Chase.

Wm H. Gleason, Lieut. Governor of the State of Florida.	In error to the Supreme
339 vs. Plaintiff in error	Court of
The State of Florida, ex rel. The Att. General	the State of Florida

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Florida, and was argued by Counsel. On consideration whereof, it is now here ordered and adjudged by this Court, that this writ of error be, and the same is hereby dismissed for the want of jurisdiction.

per Mr Chief Justice Chase.

Silver Miller. Plaintiff in Error.

89 vs

Lurkin McKinzie and others.

N. G. F. Garnett, claimant of certain real Estate. Plaintiff in error

98 vs.

The United States.

N. G. F. Garnett, claimant of certain personal property. Plaintiff in error

99 vs.

The United States.

Monday April 11th 1870. Continued

Nathaniel M. Page, Executor of
Samuel Miller deceased -
127 vs Plaintiff, in error,
The United States

Henry B. Tyler
154 vs Plaintiff, in error,
John L. Defrees.
and
William H. McVeigh
179 vs. Plaintiff, in Error,
The United States

Ordered by the Court that these Cases be continued, and set for argument on the first Tuesday of the next term, after the argument of the cases already assigned for that day

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The United States vs Appellant
356 John St. Foin.

On motion of Mr Hughes leave granted the Clerk to issue the mandate in this cause.

389	The United States vs Appellant Edward Jordan	On motion of Mr Wilson, leave granted the Clerk to issue the mandate in this cause.

Order of Court.

Now having been an Associate Justice of this Court appointed since the last allotment made at this term, it is ordered that the following allotment be made of the Chief Justice and Associate justices of said Court among the Circuits, agreeably to the act of Congress in such case made and provided, and that such allotment be entered of record, viz:

For the first Circuit, Nathan Clifford Associate Justice
For the second Circuit, Samuel Nelson, Associate Justice.
For the third Circuit, William Strong, Associate Justice.
For the fourth Circuit, Salmon P. Chase, Chief Justice.
For the fifth Circuit, Joseph P. Bradley, Associate Justice.
For the sixth Circuit, Noah H. Swayne, Associate Justice.
For the seventh Circuit, David Davis, Associate Justice.
For the eighth Circuit Samuel F. Miller, Associate Justice;
For the ninth Circuit, Stephen J. Field, Associate Justice.

Monday April 4th 1870. Continued.

Order of Court

In the matter of A. A. Bradley

Ordered. That the application of A. A Bradley for admission as attorney, and counsellor at law of this court, be referred to a committee of three members of this bar, to enquire and report whether the said applicant is qualified under the second rule of this court.

Ordered that, Mr Riddle, Mr Merrick, and Assistant Attorney General Field, constitute the committee.

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163. William Downing, vs. Appellant, James McCartney, et al

This cause was argued on the merits by Mr Goudy of counsel for the appellant, and on the motion to dismiss the appeal by Mr Hughes in support thereof, and by Mr Goudy in opposition thereto.

Monday April 11th 1870. Continued.

164.	James C Stimpson vs Charles T Woodman.	Plaintiff in error

The argument of this cause was commenced by Mr George S Roberts of counsel for the appellant.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Tuesday April 5th 1870.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Salmon P. Chase, Chief Justice
Samuel Nelson
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley.
} Associate Justices

Richard C. Parsons Esquire, Marshal
Daniel Wesley Middleton Clerk.

Proclamation being made, the Court is opened.

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164 James C. Simpson vs Plaintiff in error
Charles T. Woodman

The argument of this cause was continued by Mr Roberts of counsel for the plaintiff in error, by Mr Wakefield of counsel for the defendant in error, and concluded,

by Mr B. R. Curtis of counsel for the Appellants.

	Geo. F. Kelly vs. Complainant, The City of Providence and Geo. F. Kelly vs Complainant The Proprietors of Central Bridge	Ordered by the Court that these cases be continued to the next term of this court. (per stipulation of counsel.)
165		
166		

	The United States use of H. C. Bowen vs Appellant, Charles Goodyear & contra Vs.	The argument of this cause was commenced by Mr H. Wayne of counsel for the appellant, continued by Mr B. R. Curtis of counsel for the appellee, and by Mr Cushing of counsel for the appellant.
167		

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Wednesday April 6th A.D. 1870.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable, Salmon P. Chase, Chief Justice.
Samuel Nelson
Nathan Clifford
Noah H. Swayne — Associate
Samuel F. Miller — Justices.
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley

Richard C. Parsons Esquire, Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made, the Court is opened.

The United States ex rel. M. C. Fourm 167 U.S. Appellant, Charles Goodyear Executor &c. Appellee.

The argument of this cause was concluded by Mr Cushing of Counsel for the

158. Joseph W. Kanaf vs. The Steamship "Syracuse". Appellant

The argument of this cause was commenced by Mr McMahon of counsel for the appellant and continued by Mr R. D. Benedict of counsel for the appellee.

(Mr Justice Bradley did not sit on the argument of this cause.)

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Thursday April 7th 1870.

Pursuant to adjournment the court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase Chief Justice.

Samuel Nelson
Nathan Clifford
Noah H. Swayne — Associate
Samuel F. Miller — Justices
David Davis
Stephen J. Field
William Strong.

Richard C. Parsons Esquire Marshal

Daniel Wesley Middleton Clerk

Proclamation being made, the court is opened.

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168. Joseph W. Hunt vs The Steamship Syracuse — Appellant

The argument of this cause was continued by Mr E C Benedict of Counsel for the appellees, and concluded by Mr Attorney General Hoar for the appellant.

Thursday April 7th 1870 continued.

The Steamboat "George Washington"
169 US. Appellant
Ann Cavan
and
The Steam Ferry Boat "D. S. Gregory"
256 US. Appellant,
Ann Cavan.

The argument of these cases was commenced by Mr Donohue of counsel for the appellants in No 169.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Friday April 8th 1870.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase, Chief Justice.

Samuel Nelson
Nathan Clifford
Noah H. Swayne
Samuel F. Miller — Associate
David Davis — Justices.
Stephen J. Field
William Strong
Joseph P. Bradley

Richard C. Parsons Esquire, Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon Caleb Cushing it is ordered that Hon. Henry A Wise of Richmond State of Virginia, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the court in this behalf by Mr W. H. Boyce, it is ordered that Hon. John W. Johnston of Abingdon State of Virginia, be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

Ex parte: A. A. Bradley.

Mr Riddle filed motion to withdraw motion and papers filed on the application of A. A. Bradley for admission to the Bar.

Motion granted.

The Ship Sapphire &c. &c. Appellant
vs
Napoleon III. Emperor of the French

Mr Cushing of counsel for the appellee filed motion to advance & assign case for argument at the next term. Whereupon this Court not being now sufficiently advised of and concerning what order to

532

Entered on the Journal book Term 1. Consider.

The Commonwealth of Virginia.
3 Orig. vs. Complainant
The State of West Virginia

On the motion of Mr Carlos, it is now here ordered by the Court, that this cause be set for argument, on the first Tuesday of the next term subject to objections by counsel for the Respondents, after the argument of the cases already assigned for that day.

The Steamboat "M Burns &c.
58 vs. Plaintiff in error
James F. Reynolds Val.
and
The Steamboat M Burns &c.
59 vs. Plaintiff in error
Thomas Morrison & al.

On motion of Mr Carlisle, leave granted the Clerk to issue the mandates in these cases.

366. Robert Portner & al. vs. Plaintiffs in error. William G Cazenove

On motion of Mr Black leave granted the Clerk to issue the mandate in this cause.

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71 The Steamer Baltimore vs. Appellant James H Rowland & al.

On motion of Mr Fendall, leave granted the Clerk to issue the mandate in this cause.

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393 The United States vs Appellant Calvin L. Gilbert

Appeal from the Court of Claims

This cause came on to be heard on the transcript of the record from the Court of Claims, and on the stipulation of counsel for the respective parties on file, and motion of Mr Hale, it is now here ordered adjudged and decreed by this court, that this appeal be and the same is hereby dismissed, per Mr Chief Justice Chase.

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393. The United States vs Appellant Calvin L. Gilbert. | On motion of Mr Riddle, leave granted the clerk to issue the mandate in this cause.

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364. The United States vs Appellant Asher Ayres. | The motion to demand the record in this cause was argued by Mr Hale special counsel, in support thereof, and by Mr Hughes in opposition thereto. Whereupon this Court not being now here sufficiently advised of, and concerning what order to render in the premises took time to consider.

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364 The United States vs Appellant Asher Ayres. | The motion to dismiss this appeal was argued by Mr Hughes in support thereof, and by Mr Hale special counsel, in opposition thereto. whereupon

366. Robert Portner et al. vs Plaintiffs in error, William G Cazenove | On motion of Mr Black leave granted the Clerk to issue the mandate in this cause.

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71 The Steamer Baltimore vs Appellant James H Rowland & al. | On motion of Mr Fendall, leave granted the Clerk to issue the mandate in this cause.

---

393 The United States vs Appellant Calvin L. Gilbert | Appeal from the Court of Claims

This cause came on to be heard on the transcript of the record from the Court of Claims, and on the stipulation of counsel for the respective parties on file, and motion of Mr Hale, it is now here ordered adjudged and decreed by this court, that this appeal be and the same is hereby dismissed, per Mr Chief Justice Chase.

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393 The United States vs Appellant Calvin L. Gilbert. | On motion of Mr Riddle, leave granted the clerk to issue the mandate in this cause.

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364 The United States vs Appellant Asher Ayres. | The motion to remand the record in this cause was argued by Mr Hale special counsel in support thereof, and by Mr Hughes in opposition thereto. Whereupon this Court not being now sufficiently advised of, and concerning what order to render in the premises took time to consider.

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364 The United States vs Appellant Asher Ayres. | The motion to dismiss this appeal was argued by Mr Hughes in support thereof, and by Mr Hale special counsel, in opposition thereto. whereupon

this court not being now here sufficiently advised of, and concerning what order to render in the premises took time to consider.

The United States
vs. Appellant
Daniel Dorner.

Mr Assistant Attorney General Talbot of Counsel for the appellants,

having filed and read in open court, a suggestion of a diminution of the record in this cause, in the words and figures following to wit:

"The 1st and 2nd findings of said court, so far as is necessary for the understanding of this motion, to wit:

"1st On the 26th day of February 1864, at the City of Washington, the claimant entered into a written agreement in due form of law with the defendants Brough Lieutenant Colonel James A. Eakin, the Chief Quarter Master of the Cavalry Bureau, a Bureau established by the War

Department having charge exclusively of the purchase, care and custody of Cavalry horses" x x x

2nd On the 5th March 1864, after the execution of the contract set forth in the 1st finding, but before its performance, the defendant by Brig. Genl James W. Nelson Chief of the Cavalry bureau, issued and promulgated, in the State of Illinois an order whereby the Assistant Quarter Masters and Inspectors at St Charles were forbidden to inspect or receive the claimants horses except in pursuance of the terms and directions thereof.

And further as conclusion of law leading to the judgment appealed from, the Court decided.

1st That the express terms of the order issued and promulgated by the Chief of the Cavalry bureau, materially changed, modified, and conflicted, with

the express terms of the Claimants Contract, by throwing upon him, in the performance of his Contract, increased delay, greater expense, and hugely augmented risks."

But the Court of Claims did not find whether the last mentioned order was issued and promulgated in the City of Washington where the Contract entered into, was made, before or after the day of its execution, nor at what date said order was issued and promulgated there."

By reason of which missions aforesaid, the said Counsel now here prayed the Court to award a writ of Certiorari to be directed to the Judges of the Court of Claims, Commanding them that searching the records and proceedings of said Court in this cause they shall certify to this Court, under the seal of the said Court of Claims whatever omissions shall be found," to supply the before specified defects

to their findings and to find whether the order before referred to was issued and promulgated in the City of Washington and if so, when it was so issued and promulgated, and what was the date thereof.

On consideration whereof, it is now here ordered adjudged and decreed by this Court that a writ of certiorari be, and the same is hereby awarded, to be issued forthwith, and to be directed to the Judges of the Court of Claims, commanding them that searching the records and proceedings aforesaid, they forthwith certify to this court, under the seal of the said Court of Claims, whatever omissions shall be found in this cause, and return the same with the said writ of certiorari forthwith to this Court.

Per Mr Chief Justice Chase.

Friday April 8th 1870. Continued.

711	Henry M. Bennett, vs. Plaintiff in Error, Alexander Hunter and Henry S. Martin,	Mr Beach moved the Court that leave be granted the Clerk to issue the mandates
305	vs Plaintiff in error Robert Beverly et al	

in these cases, which motion was opposed by Mr Chittenden - On consideration whereof, it is now here ordered by the Court, that said motion be, and the same is hereby denied.

35th	The United States vs. Appellant, Henry Wayne.	On motion of Mr Riddle leave granted the Clerk, to

issue the mandate in this cause.

Friday April 8th 1870. continued

The Steamboat
Jno. Washington
169 vs Appellant
Ann Curan.
and
The Steam Ferry
boat "D.S. Gregory"
256. vs Appellant
Ann Curan.

The argument of these causes was continued by Mr Donohue of counsel for the appellant, in No 169. by Mr Sidney Webster of counsel for the appellant in No 256. by Mr Adams & Mr Van Santvoord, of counsel for the appellees and concluded by Mr Donohue for the appellant in No 169.

The City of Chicago
170 vs Plaintiff in error
Samuel S. Greer.

This cause was submitted, to the Consideration of the Court on the record and printed argument by Mr Goudy of counsel for the defendant in error.

Proclamation being made, the Court is adjourned until Monday Morning next at eleven o'clock.

Monday April 11th 1870.

Summons to adjournment the court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase, Chief Justice.

Samuel Nelson
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley.

} Associate Justices

Richard C. Parsons Esquire, Marshal
Daniel Wesley Middleton Clerk.

Proclamation being made, the court is opened.

On motion first made to the court in this behalf by Hon Caleb Cushing, it is ordered that Alexander E. Mayhew Esquire of Deer Lodge, Montana Territory & Joseph D. Simpson Esquire of Galveston, State of Texas be admitted to practice as attorneys and coun-

sellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr Sydney Bartlett it is ordered that J. G. Abbott Esquire of Boston State of Massachusetts be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Guido Fisler and Nicholas Johnson Claimants of the Schooner "Grey Eagle"	Appeal from the Circuit Court of the United States for the District of Wisconsin.
1148 vs Appellants.	
John Greening and Charles N. Scott.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Wisconsin, and was argued by Counsel. On Consideration whereof, it is now

here ordered adjudged and decreed by this Court, that the decree of the said Circuit Court, in this cause, be, and the same is hereby affirmed with costs and interest until paid at the same rate per annum that decrees bear in the courts of the State of Wisconsin.

per Mr Justice Bradley.

1119	David H. Jones vs. Matthew Sallee.	Appeal from the Circuit Court of the United States for the District of Wisconsin.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Wisconsin, and was argued by Counsel. On consideration whereof, it is now here ordered adjudged and decreed by this Court, that the decree of the said Circuit Court in this

cause be, and the same is hereby affirmed with costs.

per Mr Justice Bradley.

The Phenix Insurance Company vs John G. Copelin

Plaintiff in error

In error to the Circuit Court of the United States for the District of Missouri

128

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Missouri, and was argued by Counsel - On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Missouri

per Mr Justice Strong

The Inspector Portsmouth
Grant Williams, Claimant.
162. vs. Appellant.
The Salt Company of
Onondaga.

Appeal from
the Circuit
Court of the
United States
for the North-
ern District
of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause, be, and the same is hereby affirmed with Costs and interest until paid at the same rate per annum that decrees bear in the Courts of the State of Illinois.

per Mr Justice Strong

Monday April 11th 1870 continued.

The Steamboat "Rocket" and Benj. Farley The Sea Cooper, and Minnesota Steam Packet Co. Claimant & Respondent, & Wm. S. Landon Stipulator of said Claimant

1410 vs. Appellant

John Folsom.

Appeal from the Court of the United States for the District of Wisconsin

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Wisconsin, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged and decreed by this court that the decree of the said Circuit Court, in this cause be, and the same is hereby reversed with costs. And that this cause, be, and the same is hereby remanded to the said Circuit Court with directions to dismiss the libel.

per Mr Justice Davis

"The Steamboat Seakuk" and Barge "Pat Brady" - The Lacrosse and Minnesota Steam Packet Company, Claimant and respondent and Lewis J Higgy and David Ferguson stipulators of said Claimant,

139 vs. Appellants,

The Home Ins. Co. Company.

Appeal from the Circuit Court of the United States, for the District of Wisconsin.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Wisconsin, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged and decreed by this court that the decree of the said Circuit Court in this cause, be, and the same is hereby affirmed with costs and interest until paid, at the same rate per annum that decrees bear in the Courts of the State of Wisconsin.

per Mr Justice Miller.

1441

The Steamboat Northern Belle and Barge "Pat Brady" - The Dubuque and Minnesota Steam Packet Company Claimant & Respondent, and Lewis J. Rigby and David Ferguson, Stipulators of said Claimants.
vs. Appellants.
John Robson.

Appeal from the Circuit Court of the United States for the District of Wisconsin.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Wisconsin, and was argued by counsel. On consideration whereof, it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs and interest until paid, at the same rate per annum that decrees bear in the courts of the State of Wisconsin.

per Mr Justice Miller

The Liverpool, New York and Philadelphia Steamship Company Claimants of the Steamer "City of Paris"	Appeal from the Circuit Court of the United States for the Eastern District of New York.
152 vs. Appellants	
Henry F. Simmons, John Aspell, George Shepherd, H. H. Godfrey, John H. Allen, R. C. Grace, E. Blackmore jr. Clayton, & Charles Stewart	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of New York, and was argued by counsel On consideration whereof, it is now here ordered adjudged and decreed by this court, that the decree of the said Circuit Court in this cause, be, and the same is hereby affirmed with costs and interest until paid at the same rate per annum that decrees bear in the courts of the State of New York.

per Mr Justice Swayne.

161 Joseph Gates, assessor of Internal Revenue vs. Plaintiff in error David M Osborne and John A. Osborne survivors of themselves and C. Dennis deceased. | In error to the Circuit Court of the United States for the Northern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of New York and was argued by Counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court, in this cause, be, and the same is hereby reversed with Costs and that this cause be and the same is hereby remanded to the said Circuit Court with directions to dismiss the case, for the want of jurisdiction.

Per Mr Justice Clifford.

159 Godale Clark, Josiah G. Graham, & John B. Wells vs. Plaintiffs John L. Bousfield and John Poole. | On a certificate of division in opinion between the Judges of the Circuit Court of the United States, for the Northern District of Ohio.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States, for the Northern District of Ohio, and on the points or questions on which the Judges of the said Circuit Court were opposed in opinion, and which were certified to this Court for its opinion agreeably to the act of Congress in such case made and provided, and was argued by counsel. On consideration whereof, it is the opinion of this Court, that the first question certified must be answered in the affirmative, and the second in the negative. Whereupon it is now here ordered

and adjudged by this court that it be so certified to the said Circuit Court

per Mr Justice Nelson

131 William H. Bushnell vs S. H. Kennedy & Company. | In error to the Circuit Court of the United States for the District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed with costs, and that this cause be, and the same is hereby remanded to the said Circuit Court, for further proceedings to be had therein in conformity with the opinion of this court. per Mr Chief Justice Chase.

163	William Downing vs James McCarthy et al.	Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by Counsel. On consideration whereof, it is now here ordered adjudged and decreed by this Court that this appeal be, and the same is hereby dismissed with costs.

per Mr Chief Justice Chase.

332	The Ship Sapphire vs Napoleon III Emperor of the French	On consideration of the motion for by Mr Cushing to advance this cause on the dockets, and assign a day for hearing it is now here ordered by the Court,

that said motion be, and the same is hereby granted, and that this Cause be set down for argument on the first Tuesday of the next term after the cases already assigned for that day.

Israel Byron Bayden
119 vs. Plaintiff in error
The United States

John G. Habersham Jr.
121 vs. Plaintiffs in error
The United States,
and
Wm. H. Beans et al
126 vs Plaintiffs in error
The United States

Ordered by the Court that these Cases be continued, and set down for argument on the first Tuesday of the next term after the cases already assigned for that day.

C. B. and C. S. Latham
6 vs Appellants
The United States,
and
Israel Young
7 vs Appellant
The United States.

Ordered by the Court that the argument of these Cases be postponed until Monday next the 18th instant.

John Sigua et al 1135 vs. Plaintiffs in error The United States	Ordered by the court that this cause be continued and set down for argument on the first Tuesday of the next term, after the cases already assigned for that day.

The Steam Propeller Corsica &c. 171 vs Appellant, Samuel Swingler.	The argument of this cause was commenced by Mr D. D. Lord of counsel for the appellant.

Proclamation being made the court is adjourned until tomorrow morning at eleven o'clock.

Tuesday April 12th 1870.

Pursuant to adjournment the court met this morning at the Capitol.

Present

The Honorable Salmon P Chase Chief justice
Samuel Nelson
Nathan Clifford
Noah H Swayne
Samuel F Miller — Associate
David Davis — Justices.
Stephen J Field
William Strong
Joseph P Bradley

Richard C. Parsons Esquire Marshal
Daniel Wesley Middleton Clerk

Proclamation being made, the court is opened.

Order

The Chief Justice announced to the Bar that next Friday being good Friday, the court would adjourn on Thursday till Monday next, and that motions for Friday of this week will be heard on the following Friday.

136	John M. Pile et al vs Plaintiffs in Error Pile S. & C. Rains	On the motion of Mr Phillips, leave granted the clerk to issue the mandate in this cause.

171	The Steam Propeller "Corsica" &c. vs Samuel Schuyler.	The argument of this cause was continued by Mr Lord of counsel for the appellant by Mr Vinsantvoord of counsel for the appellee, and concluded by Mr Lord for the appellant.

318	The United States vs James Tynen	Ordered by the Court that these cases be continued and set for argument on the first Tuesday of the next term immediately after the cases
	and	
237	The United States vs John M. Pugh, impleaded with John Sellers	

Tuesday April 12th 1870 continued.

already assigned for that day.

172.	Eliza Walker vs Appellant, John S. Beale & al. Appellant.	The argument of this cause was commenced by Mr B. Curtis of counsel for the

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Proclamation being made, the Court is adjourned until to-morrow morning at eleven o'clock

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Wednesday April 13th 1870.

Pursuant to adjournment the court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase, Chief Justice
Samuel Nelson
Nathan Clifford
Noah H. Swayne
Samuel F. Miller (Associate Justices.)
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley

Richard C. Parsons Esquire Marshal
Daniel Wesley Middleton, Clerk

Proclamation being made the court is opened.

(1.) The U. S. Saltum
vs Appellants
The United States.
and
Samuel Deming
vs Appellant
The United States

Ordered by the court that these cases as to number of counsel to be heard, be argued as two cases.

Wednesday April 13th 1870. Continued

172. Eliza Walker vs Appellant / Jos. S. Bache &al. | The argument of this cause was continued by Mr Hutchins, and Mr Thomas of counsel for the appellees, and concluded by Mr Bartlett of counsel for the appellant.

1714. The Ship Blackwall &c. vs Appellant, / The Lincoln, Water and Skamling Company. | The argument of this cause was commenced by Mr C. B. Goodrich of counsel for the appellant.

Proclamation being made the Court is adjourned until tomorrow morning at eleven oclock.

Wednesday April 13th 1870.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase, Chief Justice

Samuel Nelson
Nathan Clifford
Noah H. Swayne
Samuel F. Miller (Associate)
David Davis Justices.
Stephen J. Field
William Strong
Joseph P. Bradley

Richard C. Parsons Esquire Marshal
Daniel Wesley Middleton, Clerk

Proclamation being made the Court is opened.

No. 13. U. S. Saxton
vs Appellants
The United States.
and
No. 6 James Deming
vs Appellant
The United States

Ordered by the Court that these cases as to number of Counsel to be heard, be argued as two cases

Wednesday April 13th 1870. Continued

172.	Eliza Wicker vs Appellant Jos. S. Bradley et al.	The argument of this cause was continued by Mr Hutchins, and Mr Thomas of counsel for the appellees, and concluded by Mr Bartlett of counsel for the appellant.

1741.	The Ship Blackwall &c. vs Appellant, The Lowville, Water and Steamboat Company.	The argument of this cause was commenced by Mr C. B. Goodrich of counsel for the appellant,

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Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Thursday April 14th 1870.

Pursuant to adjournment the court met this morning at the Capitol.

Present.

The Honorable Salmon P Chase, Chief Justice.

Samuel Nelson,
Nathan Clifford,
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley,

} Associate Justices.

Richard C Parsons Esquire, Marshal.
Daniel Wiley Middleton Clerk.

Proclamation being made the court is opened.

On motion first made to the court on this behalf by Mr R. S Hale, it is ordered that Matthew Hale Esquire of Albany State of New York, be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

Thursday April 14th 1870 continued.

65. The Ship S. J. Merriman vs. Joseph Emerick Appellant

On motion of Mr Curtis and consent of Mr Evarts, leave granted the clerk to issue the mandate in this cause.

1711 The Ship Blackwall &c. vs The Saucelito, Yale and Shipping Company. Appellant

The argument of this cause was continued by Mr Goodrich of counsel for the appellant - by Mr H. A Risley of counsel for the appellee, and concluded by Mr Goodrich for the appellant.

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175 The Merchants National Bank of Boston. vs. The State National Bank. Plaintiff in error.

The argument of this cause was commenced by Mr S Bartlett of counsel for the appel. Mr Justice Miller did not sit in the arg't of this cause.

Proclamation being made, the court is adjourned until Monday morning next at eleven o'clock.

Monday April 18th 1870.

Pursuant to adjournment, the court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase, Chief Justice.

Samuel Nelson
Nathan Clifford
Noah H. Swayne
Samuel F. Miller — Associate
David Davis — Justices
Stephen J. Field
William Strong
Joseph P. Bradley.

Richard C. Parsons Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made, the court is opened.

On motion first made to the court on this behalf by Mr L. S. Chatfield, it is ordered that George H. Middlebrook Esquire of New York City State of New York, be admitted to practice as an attorney and counsellor of this court and he

was sworn accordingly.

On motion first made to the Court in this behalf by Mr. R. M. Corwine, it is ordered that Wilson Saugler Esquire of Cincinnati State of Ohio, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

The City of Chicago
1870. vs Plaintiff in error
Samuel G. Greer

In error to the Circuit Court of the United States, for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this,

cause be and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the courts of the State of Illinois.

Per Mr Justice Strong.

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112. Josiah A. Noonan vs. Plaintiff in error; Alfred F. R. Bradley, administrator of the estate of John B. Lee deceased, for the use of the Executors of Orson Sawley deceased

In error to the Circuit Court of the United States for the District of Wisconsin.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Wisconsin, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court, in this cause, be, and the same is

hereby reversed with costs, and that this cause be, and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity with the opinion of this court.

Dissenting } per Mr Justice Field.
Mr Jus. Clifford
" " Swayne
" " Davis

Mr Justice Strong, and Mr Justice Bradley were not appointed at the time of the argument of this cause, and therefore took no part in the decision.)

The Steamtug "Quickstep" &c, Elias Runyon et al Claimants. Appellants
vs.
Christopher Byrne.

157.

Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard,

on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by Counsel. On consideration whereof, it is now here ordered adjudged and decreed by this court, that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs and interest until paid at the same rate per annum that decrees bear in the courts of the State of New York.

per Mr Justice Davis.

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156 Dude Hoge, Lucy J. Daniel, Mary D. Hoge, Maria S. Anderson, Jane S. Farrow, Susan W. Garlington, and her husband John Garlington, Eliza L. Fuller, and Benjamin S. Jones, complainants Appellants vs. Jesse B. Wilson. | Appeal from the Supreme Court of the District of Columbia

Monday, April 18th 1870. continued

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof, it is now here ordered adjudged and decreed by this court, that the decree of the said Supreme Court in this cause be, and the same is hereby reversed with costs, and that this cause be and the same is hereby remanded to the said Supreme Court for further proceedings to be had therein in conformity with the opinion of this court.

per Mr Justice Swayne.

The Michigan Insurance Bank.
145 vs Plaintiff in Error
Anson Eldred.

In error to the Circuit Court of the United States for the District of Wisconsin.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Wisconsin and was argued by Counsel. On consideration whereof, it is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed with costs, and that this cause be, and the same is hereby remanded to the said Circuit Court with directions to award a venire facias de novo.

per Mr Justice Clifford.

The United States		Appeal from
364 vs	Appellants	the Court
Asher Hynes		of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims and on the motion filed by Mr Hughes to dismiss this appeal

was argued by counsel. On consideration whereof, it is now here ordered, adjudged and decreed by this court, that this appeal be, and the same is hereby dismissed.

per Mr Justice Nelson.

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369 | The United States vs. Appellant, Charles R. Griffiss. | On motion of Mr Fuller leave granted the Clerk to issue the mandate in this cause.

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22 | The United States vs Plaintiff, Charles A Lechler et al. | On motion of Mr Issued and Attorney General Field, leave granted the Clerk to issue the mandate in this cause.

Monday April 18th 1870. Continued.

The Merchants National Bank of Boston
175 U.S. Plaintiff in error
The State National Bank

The argument of this cause was continued by Mr Bartlett, and Mr Abbott of counsel for the plaintiff in error, and Mr B. F. Thomas of counsel for the defendant in error. (Mr Justice Miller did not sit in the argument of this cause.)

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Tuesday April 19th 1870.

Pursuant to adjournment the court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase Chief justice
Samuel Nelson
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Associate Justices,

Richard C. Parsons Esquire Marshal
Daniel Wesley Middleton Clerk

Proclamation being made, the court is opened.

On motion first made to the court in this behalf by Mr J. J. Ward, it is ordered that George Salisbury Esquire of Randridge State of Tennessee be admitted to practice as an attorney and counsellor of this court & he was sworn accordingly.

On motion first made to the Court in this behalf by Mr C. B. Goodrich it is ordered that Roger Averill Esquire of Danbury State of Connecticut be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

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175 Merchants National Bank of Boston. vs. The State National Bank. — Plaintiff in error

The argument of this cause was commenced by Mr B. F. Thomas and Mr B. R. Curtis of counsel for the defendant in error, and concluded by Mr Ewarts of counsel for the plaintiff in error.
(Mr Justice Miller did not sit in the argument of this cause.)

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Wednesday April 20th 1870

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase, Chief Justice

Samuel Nelson
Nathan Clifford
Noah H. Swayne
Samuel F. Miller — Associate
David Davis — Justices
Stephen J. Field
William Strong
Joseph P. Bradley

Richard C. Parsons, Esquire, Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf, by Hon. J. M. Jewett it is ordered that George T. Brown Esquire of Glocester State of Rhode Island be admitted to practice as an attorney & counsellor of this Court, and he was sworn accordingly.

6	C. P. C. Latham vs Appellants The United States.	Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and on the motion of Mr L. L. Chalfield of counsel for the appellant, it is now here ordered adjudged and decreed by this court, that this appeal be, and the same is hereby dismissed.

per Mr Chief Justice Chase.

7	Israel Deming vs Appellant The United States.	Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and on the motion of Mr A. L. Merriman of Counsel for the appellant, it is now here ordered adjudged and decreed by this court, that this appeal be,

and the same is hereby dismissed.

per Mr Chf Jus Chase

Order of Court

The Chief Justice announced to the Bar, that the Court will adjourn for this term, or to a day to be hereafter named, on Saturday the 30th instant, and will not hear arguments after Tuesday next the 26th instant, and that motions for Friday of next week will be heard on Tuesday the 26th instant.

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177 William Butler etal vs Josiah Meares

Plaintiffs in error

This cause was argued by Mr P. Phillips and Mr McRae of Counsel for the defendant in error, and submitted on printed argument by Mr J. N. Palmer of Counsel for the plaintiff in error.

Wednesday April 20th 1870 Continued

1135	The United States vs Edward Paddeford	Appellant

The argument of this cause was commenced by Mr Hale special counsel for the appellant, and continued by Mr McPherson of counsel for the appellee.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Thursday April 21st 1870.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase Chief Justice

Samuel Nelson
Nathan Clifford
Noah H. Swayne
Samuel F. Miller — Associate
David Davis — Justices.
Stephen J. Field
William Strong
Joseph P. Bradley

Richard C. Parsons Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Wm J. J. Combs, it is ordered that J. M. Mason Esquire of Washington City D.C. be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

On motion first made to the court in this behalf by Mr W. M. Evarts it is ordered that H. S. Anderson Esqure of New York City, be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

51	Henry Pelham vs. H. M. Langsdale Admr of David G. Rose (deceased.)	Plaintiff	On motion of Mr Coburn leave granted the clerk to issue the mandate in this cause.

435	The United States vs Edward Radelford	Appellant	The argument of this cause was continued by Mr McPherson, and Mr Carlisle of counsel for the appellee, and concluded by Mr Hale for the appellant. Leave granted Mr Bentley to file printed brief in this cause in behalf of the appellee in No 365.

Thursday April 21st 1870 continued

178	Wells Fargo & Company vs. Alvin C. Leighton	On the motion of Mr Ashton of Counsel for

the plaintiff in error, it is ordered by the Court that this cause be continued to the next term.

180	Wells, Fargo & Company. vs Plaintiff in error Clive L. Gardner.	In error to the Supreme Court of the Territory of

Utah.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Utah, and on the motion of Mr Ashton it is now here ordered and adjudged by this Court that this writ of error, be, and the same is hereby dismissed with Costs.

per Mr Chief Justice Chase.

181	Charles J. Carpenter vs Henry W. Williams	Plaintiff in Error

This cause was submitted to the consideration of the court, on the record and printed arguments by Glover and Shepley of counsel for the plaintiff in error, and by Mr Hill of counsel for the defendant in error.

182	James Coddington vs Lyman Richardson	Plff. in Error

On the motion of Mr Dickey it is ordered by the court that this cause be continued to the next term.

183	Edmund C. Bates vs The Equitable Fire & Marine Ins. Co. Company	Plff. in Error

The argument of this cause was commenced by Mr C. B. Goodrich of counsel for the plaintiff in error, continued by Mr George H. Brown of counsel for the defendant in error, and concluded by Mr Good-

Such for the plaintiffs in error.

184	The Steamer Moses Taylor vs. The People of the State of California.	Ordered by the Court that these cases be passed for the present
185	and The Steamer "America" vs The People of the State of California.	

186	Alfred H. Lee vs Pltf. in error Stephen P. Smith.	In error to the Circuit Court of the United States for the Northern

District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and on the motion of Mr B. C. Cook of counsel for the defendant in error, it is now here

ordered and adjudged by this Court that this writ of error, &c. and the same is hereby dismissed with costs

per Mr Chief Justice Chase.

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187 The Aetna Insurance Company vs Plaintiff, in error
Charles Wade and Jos. R. Wade.

This cause was argued by Mr Peckham of Counsel for the defendant in error and submitted on printed argument by Mr Brisbin and Mr Lamprey of Counsel for the plaintiff, in error.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Friday April 22nd 1870.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase, Chief Justice.

Samuel Nelson
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley

Associate Justices.

Richard C. Parsons Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr F. Phillips it is ordered that T. S. Blount Esquire of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Hon J. A. Garfield it is ordered that Edward H. Fitch Esquire of Ashtabula State of Ohio, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr J. J. Reed, it is ordered that William A. Steel Esquire of Joliet State of Illinois be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr James M. Quiggle it is ordered that Aaron B. Peknap Esquire of New York City and John Thomson Mason Esquire of Annapolis State of Maryland, be admitted to practice as attorneys & counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr J. H Bartley it is ordered that Thomas H. Hubbard Esquire of New York City be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

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438. The United States vs Appellant Edward Bedford

Mr Bartley in pursuance of leave granted him yesterday, filed printed brief in this case in behalf of the appellee in the case of the U.S. vs. Klein No. 305.

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190. The Steamship "Western Metropolis" vs. Appellant The Schooner "Mary C. Town".

The motion of Mr Hour to continue this cause was argued by him in support thereof, and by Mr McMahon in opposition thereto. On consideration whereof, it is now here

ordered by the Court that this cause be, and the same is hereby continued to the next term.

258	William S Godbe vs Joseph Leach & Comp'y	Plaintiff in error	The motion to dismiss this writ of error was argued by Mr Thurman in support thereof and by Mr Carlisle in opposition thereto. Whereupon this Court not being now here sufficiently advised of, and concerning, what order to render in the premises, took time to consider.

154	The Steamboat Mass Saylor" vs The People of the State of California	Plaintiff in error	In error to the Supreme Court of the State of California

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of California, and on the motion of Mr

J. F. Randolph of counsel for the plaintiff in error, it is now here ordered and adjudged by this court, that this writ of error be, and the same is hereby dismissed with costs.

per Mr Chief Justice Chase.

185	The Steamboat "America" vs. The People of the State of California.	In error to the Supreme Court of the State of California.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of California, and on the motion of Mr J. F. Randolph of counsel for the plaintiff in error, it is now here ordered and adjudged by this Court, that this writ of error be, and the same is hereby dismissed with costs.

per Mr Chief Justice Chase.

23	The Providence Rubber Co vs. Appellants Charles Goodyear Exr. &c.	Mr Cushing by leave of Court filed petition of the appellants, praying that the mandate in this cause be stayed and that they have leave to file a bill of review in the Court below to review the judgment of said Court for reasons set forth in said petition.

274	William A Tuckerman et al. vs. Appellants The Ship Protector et al	The argument of the motion to dismiss this appeal was commenced by Mr F. Phillips in support thereof, continued by Mr S. S Blount in opposition thereto, and concluded by Mr Phillips in favor of the motion. Whereupon this Court not being now sufficiently advised of and concerning what order to render in the premises took time to consider.

244	E. B. Dunham et al vs. The City of Alexandria	The argument of the motion to dismiss the writ of error in this cause, was commenced by Mr Smoot in support thereof, continued by Mr Wallis in opposition thereto, and concluded by Mr Smoot in favor of the motion whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

208	Lewis Tappan vs. Peff in error Jno Beardsley dal.	The motion of Mr Hubbard to continue this cause was argued by him in support thereof, and by Mr Bartley in opposition thereto. On consideration whereof, it is now here ordered by the Court, that this cause be, and the same is hereby continued to the next term.

Ex parte Josiah Morris and John F. Johnson. Original Petitioners	The motion for writ of Mandamus filed in this cause by Mr P. Phillips, was argued by him in support thereof, whereupon this Court not being now here sufficiently advised of, and concerning what order to render in the premises took time to consider.

Ex parte James Graham and L. Madison Day. Original Petitioners and Ex parte Rufus Hayes, and E. W. Burbank Original Petitioners	The motion of Mr Cushing to continue these Cases was argued by him in support

thereof, and by Mr Durant in opposition thereto. On consideration whereof it is now here ordered by this Court, that these Cases be, and they are hereby continued to the next term, and that the records and papers filed

in said cases be printed.

281	The Hartford Fire Insurance Company. vs Plaintiff in Error Isaac Van Zant.	The motion for a writ of supersedeas in this case was argued by Mr Peck in support thereof, and by Mr Digby in opposition thereto - Whereupon this Court not being now sufficiently advised of, and concerning what order to render in the premises took time to consider.

1113	Kenneth K. Worthy, vs Plaintiff in Error Commissioners of Harda	On the motion of Mr Boyce leave granted the Clerk to issue the mandate in this cause.

7.	Ex parte Benjamin Bouvital. Original.	Petitions	On the motion of Mr Boyce of counsel for the petitioners, it is now here ordered by the court

that this cause be, and the same is hereby dismissed with costs.

Ex parte Chas. H. Lanman jr. Petitioner. | On the motion of Mr Boyce of counsel for the petitioner it is now here ordered by the court that this cause be, and the same is hereby dismissed with costs.

The Bank of Louisiana v. The United States and John C. Harris et al v. The United States

185 Appellant, 286 Appellants | These cases were argued by Mr Thomas Wilson of Counsel for the appellants in No 286. and by Mr Asst. Atto. General Field of Counsel for the appellees, and submitted on printed argument by Mr Chilton of Counsel for the appellant in No 185.

Friday April 22nd 1870 Continued

The Bank of Louisiana
by Josiah Morris its agent.
Claimant of one hundred
& ninety-two bales of cotton.
188 vs Appellant
The United States.

Appeal from the District
Court of the United States,
for the Middle District
of Alabama.

This cause
came on
to be heard
on the
transcript
of the record
from the
District
Court of
the United
States for
the Mid
dle District of Alabama, and was
argued by counsel. On consideration
whereof, it is now here ordered ad-
judged and decreed by this Court
that the decree of the said Dis-
trict Court, in this cause, be, and
the same is hereby reversed, and
that this cause be, and the same
is hereby remanded to the said
District Court, with directions to
award a new trial.

Per Mr Chief Justice Chase

John C Harris and
H. C. Caulkins,
Claimants Appellants
986 vs.
The United States.

Appeal from the District Court of the United States for the Middle District of Alabama.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Middle District of Alabama and was argued by Counsel. On consideration whereof, it is now here ordered adjudged and decreed by this Court that the decree of the said District Court in this cause be and the same is hereby reversed. and that this cause be, and the same is hereby remanded to the said District Court, with directions to award a new trial.

per Mr Chief Jus. Chase.

Friday April 22nd 1870. Continued.

189	The United States Appellants vs Alexander McDougall.	This cause was submitted to the consideration of the court on the record and printed argument by Mr Attorney General Hoar of Counsel for the appellants, and by Mr Donahue for the appellee.

191	Andrew Wiggins et al. vs William L. Barkham.	This cause was submitted to the consideration of the court on the record and printed argument by Mr Hendricks of Counsel for the plaintiffs in error, and by Mr McDonald and Mr Roach for the defendant in error.

192	Charles Bischoff et al vs John Wetherell.	This cause was argued

by Mr W. Meade Addison of counsel for the plaintiff in error, and submitted on printed arguments by Mr Talcott of counsel for the defendant in error.

Proclamation being made, the Court is adjourned until Monday morning next at Eleven o'clock

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Monday April 25th 1870

Pursuant to adjournment the Court met this morning at the Capitol

Present.

The Honorable Salmon P. Chase Chief Justice

Samuel Nelson
Nathan Clifford
Noah H. Swayne — Associate Justices
Samuel F. Miller — Justices
Stephen J. Field
William Strong
Joseph P. Bradley

Richard C. Parsons Esqr. Marshal
Daniel Wesley Middleton Clerk

Proclamation being made the court is opened.

On motion first made to the Court in this behalf by Mr J. J. Scott it is ordered that Robert P Scott Esquire of Washington City D.C. be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Benj Hannah Albert T. Lay.
James Morgan & Wm Morgan,
Claimants of the Propeller
Alleghany &c., and Harrison
Ludington, and Charles
J. Kershaw Stipulators.
117 vs Appellants.
Sarah S. Robertson and
James C. Fillman.

Appeal from the Circuit Court of the United States for the District of Wisconsin.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Wisconsin, and was argued by counsel. On consideration whereof, it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court, in this cause be, and the same is hereby affirmed with costs and interest until paid at the same rate per annum, that decrees bear in the Courts of the State of Wisconsin.

Per Mr Justice Strong.

160. John J. Mahoney vs The United States. | Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel On consideration whereof, it is now here ordered, adjudged and decreed by this court that the decree of the said Court of Claims in this cause be, and the same is hereby affirmed.

per Mr Justice Field,

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150 Henry Wise Jr. who sues for the use of Horace H. Dunst, and Warren J. Place Plaintiffs vs Edward Ellis. | On a certificate of division in opinion between the Judges of the Circuit Court of the United States, for the District of Wisconsin.

This cause came on to be heard

on the transcript of the record from the Circuit Court of the United States for the District of Wisconsin, and on the points or question on which the judges of the said Circuit Court were opposed in opinion, and which were certified to this Court for its opinion agreeably to the act of Congress in such cases made and provided and was argued by Counsel. On consideration whereof, it is the opinion of this Court, that the first question certified must be answered in the affirmative, and the second in the negative. Whereupon it is now here ordered and adjudged by this Court, that it be so certified to the said Circuit Court.

Per Mr Justice Miller.

Joseph H Kinnear
vs
Libt. Appellant,
The Steamboat "Syracuse"
The Albany & Canal Line owners
of said boat.

Appeal from the Circuit Court of the United States

for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States, for the Southern District of New York, and was argued by counsel. On consideration whereof, it is now here ordered adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed, with costs.

per Mr Justice Swayne

The Steamer "Maggie Hammond" &c
Amasa Dunbar Claimant,
vs.
Thomas Morland Charles Stanhope Watson & James Rose.

Appeal from the Circuit Court of the United States for the District of Maryland

107

This cause came on to be heard on the transcript of the record from the Circuit Court of the United

States for the District of Maryland, and was argued by counsel. On consideration whereof, it is now here ordered adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs. per Mr Justice Clifford.

1611 James C Simpson vs Plaintiff in Error
Charles F. Woodman. | In error to the Circuit Court of the United States for the District of Massachusetts.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this court, that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed with costs,

And that this cause be, and the same is hereby remanded to the said Circuit Court, with directions to award a venire facias de novo.

per Mr Justice Nelson.

Dissenting:
Mr Justice Clifford.

Elizabeth S Pierce		Appeal from
158 vs Appellant		the Supreme
Walter S Cox &		Court of the
Lee Md administrator		District of
of James R. Young (dec'd)		Columbia

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by Counsel. On consideration whereof it is now here ordered adjudged and decreed by this court that this appeal be, and the same is hereby dismissed for the want of jurisdiction.

per Mr Chief Justice Chase

167	The United States ex rel A. O. Bourn. vs Charles Goodyear Junior, Executor of Charles Goodyear deceased.	Appeal from the Circuit Court of the United States, for the Southern District of New York

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York and was argued by counsel. On consideration whereof, it is now here ordered adjudged and decreed by this court, that the decree of the said Circuit Court, in this cause be, and the same is hereby affirmed with costs.

Per Mr Chief Justice Chase.

281	The Hartford Fire Insurance Company vs Fifth, in error Isaac Van Duzer	In error to the Supreme Court of the State of Illinois.

Monday April 25th 1870 Continued

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Illinois, and on the motion filed by Mr Peck of counsel for the plaintiff in error, and was argued by counsel - On consideration whereof, it appearing to the court, that there is no allowance of the writ of error in this cause, it is now here ordered and adjudged, by this court, that this writ of error, be, and the same is hereby dismissed with costs.

per Mr Chief Jus. Chase.

John H. Herndon
251 vs Appellant
Volney E. Howard &al.

Mr Boyce filed motion for leave to assignee in Bankruptcy to appear in this case.

Benjamin F. Irvine
193 vs. Plaintiff in error
John P. Irvine.

This cause was submitted to the court.

eration of the court on the record and
further argument by Mr L. Ellis of
counsel for the plaintiff in error

194	Isaac J. Marshall vs. Edward N. Taylor et al	Appellant On motion of Mr Tucker it is ordered by the court, that this cause be, and the same is hereby continued to the next term.

195	Henry Lytle vs. Plff in error John M. Herndon.	The argument of these causes was commenced by Mr B. C. Cook, of counsel for the plaintiff in error, continued by Mr C. Robinson of counsel for the defendant in error, and concluded by Mr Cook for the plaintiff in error.
196	Enoch Long et al. vs. Plffs. in error Peggy D. Patton	
197	Isaac Underhill vs. Plff in error John M. Herndon.	
198	Jonathan C. Sturdevant, vs. Plff. in error John M. Herndon.	
199	And Isaac Underhill vs. Plff in error Peggy D. Patton.	

200	Spencer Smith vs. Piff in error Hamilton J. McCool.	This cause was submitted to the consideration of the court on the record and printed argument by Mr Wead of counsel for the pff in error. & by Mr Stanley, for the defendant in error.

201	Board of Supervisors of Poweshiek Co. Iowa. vs Piff. in error The U.S. use Durant	This cause was submitted to the consideration of the court, on the record & printed argument by Mr Grant, of counsel for the defts, in error.

202	The Board of Supervisors of Poweshiek County - Iowa. vs Plaintiff in error The U.S. use Clark Durant.	This cause was submitted to the consideration of the court on the record and printed argument by Mr Grant of counsel for the defendant in error.

Proclamation being made, the Court is adjourned until tomorrow morning at eleven o'clock.

Tuesday April 26th 1870.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase, Chief Justice.

Samuel Nelson
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices.

Richard C. Parsons Esquire Marshal.

Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court on this behalf by Mr F. P. Stanton, it is ordered that A. S. Meguire Esquire of Washington City D.C. be admitted to practice as an attorney & counsellor of this Court, and he was sworn accordingly.

On motion first made to the court in this behalf, by Mr F. A. Dick, it is ordered that Nathan A. Sharpless Esqure of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

On motion first, made to the court in this behalf by Mr J. A. Wills, it is ordered that J. Warren Bell Esqure of Galveston State of Texas, be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

The New Orleans Opelousas & Great Western R. R. Company
321 vs Plaintiff in error,
Charles Morgan.

On motion of Mr Phillips & consent of Mr Jenckes, it is now here ordered by the Court, that this cause, be, and the same is hereby continued to the next term.

Tuesday April 26th 1870. Continued

A B Wood 215 vs Plff. in error: Dr Forrest Richards	Mr Poland filed a motion for a new appeal bond, in this cause, which was argued by him in support thereof, and by Mr F. Phillips in opposition thereto. Whereupon this Court not being now here sufficiently advised of, and concerning what order to render in the premises took time to consider.

The United States 360 vs. Appellant Manzo Child et al. to file motion for	Mr Assistant Attorney General Talbot, asked and obtained leave a writ of certiorari

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John H. Herndon 351 vs. Appellant Edwin C. Howard et al.	The motion of Mr Boyce for leave to Branch T. Masterson, assignee in Bankruptcy to appear as appellant in this cause with the present appellant was argued by him

in support thereof, and by Mr Cushing in opposition thereto - Whereupon this court not being now here sufficiently advised of, and concerning what order to render in the premises took time to consider.

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359. The United States vs Morris Kohn, Appellant | On motion of Mr Hill, and consent of Attorney General,

leave granted the Clerk to issue the mandate in this cause.

1149 The United States vs Heirs of Juan Bautista Vigil, deceased, Appellant | Mr Asst Atty General Field filed motion to docket this cause, and for a writ of certiorari, which was argued by him in support thereof, and by Mr Ewing in opposition thereto - On consideration whereof, it is now here ordered by this court, that the case be entered on the docket

and that a writ of certiorari be granted as prayed.

The United States		Mr Assistant
1119 vs.	Appellant	Attorney General
Juan B Ligid et al.		Field of counsel
		for the appellants,

having filed and read in open court, a suggestion of a diminution of the record in this cause, in the words and figures following to wit:

"To bring before this court all the proceedings in the said cause, had since the sixth day of April, 1868, the date of the certificate of the clerk of said court attached to the transcript of record now lodged in the clerks office of this Court, and particularly a transcript of the record of the proceedings in the said Supreme Court of the Territory of New Mexico, allowing an appeal in said case nunc pro tunc to the Supreme Court of the United States.

"By reason of which omissions aforesaid, the said counsel now here

moved the court to award a writ of certiorari, to be directed to the Judges of the Supreme Court of the Territory of New Mexico, commanding them that searching the records and proceedings of said Court in this cause, they shall certify to this court under the seal of the said Supreme Court, whatever omissions shall be found - Upon consideration whereof, it is now here ordered adjudged and decreed by this court, that a writ of certiorari be, and the same is hereby awarded to be issued forthwith and to be directed to the Judges of the Supreme Court of the Territory of New Mexico, commanding them that searching the records and proceedings aforesaid they forthwith certify to this Court, under the seal of the said Supreme Court whatever omissions shall be found, in this cause, and return the same with the said writ of certiorari forthwith to this Court. per Mr Chf Jus Chase

25 The Providence Rubber Co. Appellant
vs.
Charles Goodyear Exr &c. &c.

The motion of Mr W E Curtis to stay the issuing of the mandate in this cause, was argued by him in support thereof, and by Mr Ackerman in opposition thereto. On consideration whereof, it is now here ordered by the Court, that the issuing of the mandate in this cause be stayed until the 14th day of June next.

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25 The Providence Rubber Co. Appellant
vs.
Charles Goodyear Exr &c. &c.

The argument of the motion filed by Mr Cushing to stay the issuing of the mandate in this cause, and for leave to file a bill of review in the Court below, to review the judgment herein made &c was commenced by him in support thereof, continued by Mr W E Curtis in opposition thereto and concluded by Mr Cushing in favor of the motion. Whereupon this Court not being now

Tuesday April 26th 1870 Continued

here sufficiently advised of and concerning what order to render in the premises but time to consider.

300.	The United States vs Appellants Mary Child et al.	The motion for a writ of error in this cause was argued by

Mr Talbot Asst. Atty General in support thereof - continued by Mr Hughes in opposition thereto and concluded by Mr Talbot in behalf of the motion Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

203.	John W. Watkins et al. vs. Plaintiffs in error. The United States.	The argument of this cause was commenced by Mr W. M. Addison of counsel for the plffs in error. The Court

declined hearing argument for the defts in error.

Proclamation being made the Court is adjourned until Saturday morning next at Eleven o'clock.

Saturday April 30th 1870.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P Chase, Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices.

Richard C Parsons Esquire, Marshal.

James Hosley Middleton Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Hon J Trumbull, it is ordered that Thomas Ford Esquire of Chicago State of Illinois be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Additional Rules in relation to Appeals from the Court of Claims.

Rule 4.

In all cases in which either party is entitled to appeal to the Supreme Court, the Court of Claims shall make and file their finding of facts, and their conclusions of law therein, in open court, before or at the time they enter their judgment in the case.

Rule 5.

In all such cases either party, on or before the hearing of the cause, may submit to the court a written request to find specifically as to the matter of fact which such party may deem material to the judgment in the case, and if the court fails or refuses to find in accordance with such prayer, then such prayer and refusal shall be made a part of the record, certified on the appeal to this court.

Jos. C. Green, Conn Hall, Hugh McElvey, John L. Calder, John W. Garrison, Lafayette La Baibaux, and W.H. Medary.	In error to the Circuit Court of the United States for the Southern District
155 vs Plaintiffs in error The United States.	of Ohio.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Ohio and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court, in this cause, be, and the same is hereby reversed. And that this cause be, and the same is hereby remanded to the said Circuit Court with directions to award a new trial in conformity with the opinion of this Court. per Mr. Jus. Bradley.

The Steam Propeller "Corsica" her tackle &c. The British and North American Steam Packet Company. Claimants.		Appeal from the Circuit Court of the United States for the South.
171	vs. Appellants.	
	Samuel Schuyler.	

ern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States, for the Southern District of New York, and was argued by Counsel. On consideration whereof it is now here ordered adjudged and decreed by this court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs & interest, until paid at the same rate per annum that decrees bear in the Courts of the State of New York.

per Mr Justice Bradley.

Charles Bischoff, Philip Smith Corr., and Jorge Cor Bompas. 192 vs Plaintiffs in error, John Pickered	In error to the Circuit Court of the United States for the District of Maryland.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States, for the District of Maryland, and was argued by Counsel On Consideration whereof it is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court, in this cause, be, and the same is hereby affirmed with costs. Per Mr Justice Bradley.

William A. Fraleon's, et 374 vs Appellants The Ship Protector, et al.	On Consideration of the motion filed by Mr Fish.

&c to dismiss this appeal, and of the arguments of Counsel thereupon had, as well in support of, as against the same - it is now here ordered,

by the court that said motion be and the same is hereby denied.

per Mr Justice Bradley.

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360. The United States vs. Alonzo Child et al. | Appeal from the Court of Claims.

Ordered by the court that the record in this case be remanded to the Court of Claims, and that said Court be instructed to find and certify to this court, as matters of fact, in addition to the facts found and certified in said record, - to wit:

First. Whether or not before the signature of the books and papers of the Claimants as found by the said Court, the claims of the Claimants had been submitted or presented by them to the commission consisting of Hon David Davis, Joseph Holt and Hugh McCulloch referred to the record?

Second. Whether or not the said,

claims were so submitted or proved after such seizure?

Third. Whether or not the said Claimants appeared before the said Commission with witnesses to support their said claims; and if they did so appear, whether or not it was before or after the seizure of their books and papers by the provost guard of St Louis?

And it is further ordered that the said record with the said additional findings of fact, be returned to this court, with all convenient speed.

per Mr Justice Bradley.

William Butler and W. F. Weir	In error to the Circuit Court of the United States for the Western Dis-
177 vs. Plaintiffs in error Josiah Maples.	trict of Tennessee

This cause came on to be heard

on the transcript of the record from the Circuit Court of the United States, for the Western District of Tennessee, and was argued by Counsel - On consideration whereof, it is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the courts of the State of Tennessee.

Per Mr Justice Strong.

Benjamin F. Irwin, Plaintiff in error
v.s.
John P. Devine

In error to the Circuit Court of the United States for the District of Tennessee.

193

This cause came on to be heard on the transcript of the record from

the Circuit Court of the United States for the District of Minnesota and was argued by counsel. On consideration whereof, it is now here ordered & adjudged by this court, that the judgment of the said Circuit Court, in this cause be, and the same is hereby affirmed with costs.

Per Mr Justice Strong.

The Steamboat "Geo Washington" Jacob Myers, Egbert Myers, and Michael Sherman Claimants. Appellants.	Appeal from the Circuit Court of the United States for the Southern District of New York.
169 vs.	
Ann Cavan.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, it is now here ordered adjudged and decreed

by this court, that the decree of the said Circuit Court, in this cause, be, and the same is hereby affirmed with costs, and interest until paid at the same rate per annum that decrees bear in the Courts of the State of New York.

per Mr Justice Field.

	The Steam Ferry Boat "D S Gregory" The New Jersey Railroad and Transportation Company, Claimants.	Appeal from the Circuit Court of the United States for the Southern District of New York
256	vs. Appellants.	
	Ann Cavan.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by Counsel. On consideration whereof, it is now here ordered adjudged and decreed by this Court, that the decree of the said

Circuit Court, in this cause be, and the same is hereby affirmed with cost and interest until paid at the same rate per annum that decrees bear in the courts of the State of New York

per Mr Justice Field.

	Eliza Walker	Appeal from
172	vs Appellant	the Circuit Court
	Joseph S. Peal &	of the United
	Alexander S. Walker,	States for the
	Executors of William	District of
	J Walker deceased	Massachusetts.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts and was argued by Counsel On Consideration whereof, it is now here ordered adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause, be, and the same is hereby modified

and affirmed with costs, on the basis that the complainant at the time it was rendered was entitled to recover from the respondents, the sum of Eighty three thousand four hundred and thirty three dollars and twenty three cents, with interest from the date of the decree at the same rate per annum that similar decrees bear in the Courts of the State of Massachusetts.

per Mr Justice Davis.

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181 Charles J. Carpenter vs Plaintiff in error. Henry N. Williams | In error to the Supreme Court of the State of Missouri.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Missouri, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged and decreed by this Court, that this writ of error, be

and the same is hereby dismissed for the want of jurisdiction.

per Mr Justice Miller.

Edward C Sales et al Plaintiffs in error	In error to the Circuit Court of the United States for the District of Rhode Island.
vs.	
The Equitable Fire & Marine Insurance Company of Providence Rhode Island.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Rhode Island and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

per Mr Justice Miller.

	The United States, Claimants of sixteen hundred bales of cotton. The cargo of the Schooner "L. A. Davis"	Appeal from the Circuit Court of the United States for the Southern District of New York.
189	vs. Appellants	
	Alexander M. Douglass.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, it is now here ordered adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed.

per Mr Justice Miller

	The Providence Rubber Co	On consideration of the
95	vs. Appellant	motion filed
	Charles Goodyear Exr	of Charles Goodyear deceased, in this cause
	The Union India Rubber Co. and	by Mr Cushman for leave
	The Phenix Rubber Company	

to file bill of review in this court be-
low, and to withhold the mandate
in this cause - and of the arguments
of counsel thereupon had, as well
in support of, as against the same;
it is now here ordered by the Court
that said motion be, and the same
is hereby denied.

per Mr Justice Swayne

Ex parte Josiah Morrow et al
John F. Johnson.
12 Original. Petitioners.

Petition for
Mandamus.

This cause came on to be heard
on the petition filed, and was argued
by counsel. On consideration where of,
it is now here ordered & adjudged,
by this Court that the writ of man-
damus issue from this court return-
able on the first Monday of December
next directed to the Judge of the District
Court of the United States for the Mid-
dle District of Alabama, requiring
and commanding him to proceed

forthwith to execute and carry into effect the mandate of this Court in the case of Josiah Morris and John F. Johnson Appellants v.s. The United States Appellees No 163 December Term 1868. On appeal from the District Court of the United States for the Middle District of Alabama.

per Mr Justice Swayne

Stephen Higgins, William Stenbecker, Peter Shu-lene & Isaac Scott Pltffs in Err.
v.s
William L. Burtham

191

In error to the Circuit Court of the United States for the District of Indiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Indiana, and was argued by Counsel. On consideration whereof, it is now here ordered and adjudged by this

to file bill of review in the court below, and to withhold the mandate in this cause. and of the arguments of counsel thereupon had, as well in support of, as against the same. it is now here ordered by the court that said motion be, and the same is hereby denied.

per Mr Justice Swayne

Ex parte Josiah Morrow &c
John T. Johnson.
Original. Petitioners.

Petition for Mandamus.

This cause came on to be heard on the petition filed, and was argued by counsel. On consideration whereof, it is now here ordered & adjudged by this court that the writ of mandamus issue from this court returnable on the first Monday of December next directed to the Judge of the District Court of the United States for the Middle District of Alabama, requiring and commanding him to proceed

forthwith to execute and carry into effect the mandate of this Court in the case of Josiah Morris and John F. Johnson Appellants vs. The United States appellees No 153 December Term 1868. On appeal from the District Court of the United States for the Middle District of Alabama.

per Mr Justice Swayne

Hydnus Higgins, William Strader, Peter Shu Some & Lincoln Seat vs Plaintiffs in Error, William C. Burtham.

In error to the Circuit Court of the United States for the District of Indiana.

191

This cause came on to be heard on the Transcript of the record from the Circuit Court of the United States for the District of Indiana, and was argued by Counsel. On consideration whereof, it is now here ordered and adjudged by this

Court, that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs, and interest until paid at the same rate per annum that similar judgments bear in the courts of the State of Indiana.

per Mr Justice Swayne.

Spencer Smith
vs
Plaintiff in error,
Hamilton J. McCord

In error to the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by Counsel. On consideration whereof, it is now here ordered and adjudged by this court, that the judgment of the said Circuit Court, in this cause, be, and the same is hereby affirmed with costs.

per Mr Jus Swayne

Saturday April 30th. 1870. Continued.

The Ship "Blackwall" her tackle cargo &c.
James Geary, Claimant.
1774. vs Appellant,
The Sweedish State Steaming Company, and George Clark.

Appeal from the Circuit Court of the United States for the District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States, for the District of California, and was argued by counsel. On consideration whereof, it is now here ordered adjudged and decreed by this court, that the decree of the said Circuit Court in this cause be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court, with directions to enter a decree for the libellants, in the sum of five thousand dollars, with costs in the

Circuit and District Courts, and with interest from the date of the former decree at the same rate per annum that decrees bear in the Courts of the State of California.

per Mr Justice Clifford.

John D. Watkins, Hannibal H. Chase, and Solomon H. Phillips. Plaintiffs in error
vs
The United States. Defendants in error

In error to the Circuit Court of the United States for the District of Maryland.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States, for the District of Maryland, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court, in this cause be, and the same is hereby affirmed;

per Mr Justice Clifford.

Saturday April 30th 1870. Continued.

187 The Aetna Ins. Co. vs. Plaintiff in error. Charles Wade, and Joseph L. Wade.

In error to the Circuit Court of the United States for the District of Minnesota.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States, for the District of Minnesota, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this court, that the judgment of the said Circuit Court, in this cause be, and the same is hereby affirmed with costs, and interest on the said, paid at the same rate per annum that similar judgments bear in the courts of the State of Minnesota.

per Mr Justice Nelson.

Henry Sigle 195 vs Pff in error John M Nordon	In error to the Circuit Court of the United States for the Northern Dist. of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by Counsel. On consideration whereof, it is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court, in this cause be, and the same is hereby affirmed with costs. per Mr Justice Nelson

Dissenting
Mr Jus Miller

Enoch Long, Alex Sturdivant, and John Robinson. 196. vs Pffs in error Ejmt J. Patton.	In error to the Circuit Court of the United States for the Northern District

of Illinois.

Saturday April 30th 1870. Continued.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States, for the Northern District of Illinois, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this court, that the judgment of the said Circuit Court, in this cause, be, and the same is hereby affirmed with costs.

per Mr Justice Nelson.

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197 Isaac Underhill vs. Plff. in error / John McKendon. | In error to the Circuit Court of the United States, for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged

by this court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

per Mr Justice Nelson.

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198 Jonathan C Stubbrant vs Plaintiff in error, John McHenderson. | In error to the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel-On consideration whereof, it is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

per Mr Justice Nelson.

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199 Isaac Underhill vs. Piff in error Peggy F. Patton. | In error to the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said Circuit Court, in this cause be, and the same is hereby affirmed with costs. per Mr Justice Nelson.

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201 The Board of Supervisors of Tourshick County Iowa. vs. Plaintiffs in error, The U.S ex rel. T. C. Durant | In error to the Circuit Court of the United States.

for the District of Iowa

Saturday April 30th 1870. Continued.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Iowa, and was argued by Counsel On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court, in this cause be, and the same is hereby affirmed with costs. Per Mr Justice Nelson.

The Board of Supervisors of Keokuk County Iowa. Pltffs in error
vs
Jno. H. Sexton Clerk Durant

In error to the Circuit Court of the United States for the District of Iowa.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Iowa, and was argued by Counsel. On consideration whereof, it is now here ordered and adjudged by this

Court that the judgment of the said Circuit Court in this cause, be, and the same is hereby affirmed with costs. per Mr Justice Nelson.

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151. J. Edgar Thompson dat- Cause on
vs. Complainants certificate of
The Union Pacific Rail- division in
way Company (Eastern Di- opinion be-
vision) John M. Frank, James tween the
Blood and William Kay defts. judges of
the Circuit
Court of the United States, for the
District of Kansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States, for the District of Kansas, and on the point or question on which the judges of the said Circuit Court were opposed in opinion, and which was certified to this court for its opinion agreeably to the act of Congress in such case made and provided, and

was argued by Counsel. On consideration whereof, it is the opinion of this Court, that the question certified must be answered in the affirmative, Whereupon it is now here ordered adjudged and decreed by this Court, that it be so certified to the said Circuit Court

per Mr Chief Justice Chase.

William S Godbe		In error to the
258 vs Pltff. in Error.		Supreme Court
Joseph Leger Kemply.		of the Territory
		of Utah.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Utah, and on the motion of Mr Baskin, of counsel for the defendant in error, to dismiss this writ of error, was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court, that this writ of error be, and the same is hereby dismissed with costs. per Mr Chf Jus. Chase.

Saturday April 30th 1870. continued

1138.	The United States vs. Edward Tadeliford.	Appeal from the Court of Claims

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, it is now here ordered adjudged and decreed by this court, that the decree of the said Court of Claims, in this cause, be, and the same is hereby affirmed.

per Mr Chief Justice Chase.

215	A. B. Wood vs. Sick. in error, De Forrest Richards.	Ordered by the court that the motion filed in this cause by

Mr Boland (for a new bond,) be continued to the next term of this court with leave to the plaintiff in error, to file counter affidavits.

per Mr Chf. Justice Chase.

John H. Herndon
251 vs Appellant
Isbury & Howard & al.

On consideration of the motion filed in this cause by Mr Joyce for leave to Samuel J Masterson assignee in bankruptcy of John H. Herndon, to appear as a party appellant in this cause - and of the arguments of counsel thereupon had, as well in support of as against the same - it is now here ordered by the court, that the said Samuel J Masterson, assignee as aforesaid, be substituted, and he is hereby made the party appellant in this cause.

Per Mr Chief Jus. Chase.

C. C. Downham & al.
244 vs. Plaintiff in error,
City Council of Alexandria.

On consideration of the motion filed by Mr Smoot to dismiss this writ of error, and of the argument of counsel thereupon had

as will in support of, as against the same, it is now here ordered by the court, that the said motion be, and the same is hereby denied,

per Mr Chief Justice Chase.

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64 | William P. Knox vs. Stiff in Error, Phebe J. See et al. | Ordered by the Court that this cause be continued.

and set down for re-argument, on the first Tuesday of the next term, after the cases already assigned for that day.

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60 | Henry S. Porter vs. Stiff in error. Mary A. Hall et al. | Ordered by the Court that this cause be re-argued on the first Tuesday of the next term and upon the following questions:

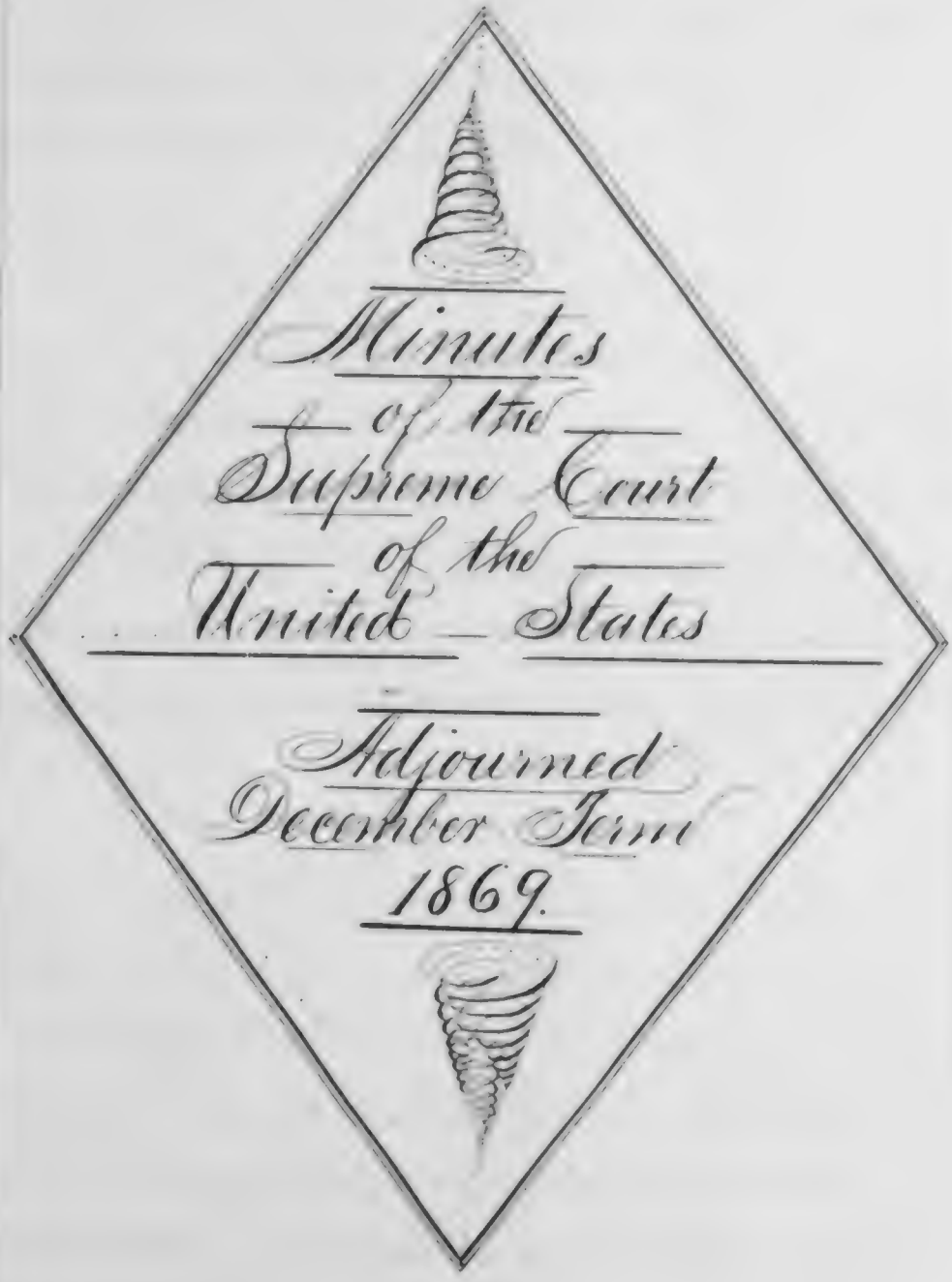
1st. Assuming that John Hall who signed the power of attorney in the case dated 21st December 1852, was at the time insane

Whether or not said power was void, and of no effect, in the hands of James H. Harris the Attorney: and 2nd Whether or not the deed given in pursuance of said power is void and of no effect.

Order of Court.

Ordered - That Mandates in the several cases heretofore disposed of at this term, be issued forthwith after the adjournment of the Court, to the last Monday of October next.

Proclamation being made the court is adjourned until the last Monday of October next at twelve o'clock.


Minutes
of the
Supreme Court
of the
United States
Adjourned
December Term
1869.

Monday October 31st 1870.

Pursuant to adjournment the court met this morning at the Capitol.

Present.

The Honorable Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley.

} Assoc. iate Justices.

Richard C. Parsons Esquire, Marshal
Daniel Wesley Middleton Clerk.

Proclamation being made, the court is opened.

On motion first made to the court on this behalf by Mr John N. Wills it is ordered that George F. Harding Esquire of Chicago State of Illinois be admitted to practice as an attorney & counsellor of this court, and he was sworn accordingly.

On motion first made to the court

on this behalf by Mr J P Doolittle it is ordered that Elias C Dearley Esquire of Peking State of Illinois be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

On motion first made to the court on this behalf by Mr Attorney General Akerman it is ordered that Clement Hugh Hill Esquire of Boston State of Massachusetts be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

On motion first made to the court on this behalf by Mr Philip Phillips, it is ordered that Henry Craft Esquire of Memphis State of Tennessee be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

Corporation first made to the Court in this behalf by Wm James M Carlisle, it is ordered that Wallace Atwood Esquire of Louisville State of Kentucky be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

The Honorable Amos T. Akerman appeared and produced the following letters patent, which were read in open court and ordered by the court to be recorded on the minutes of this court, in the following words, viz:

Ulysses S. Grant
President of the United States of America.
To all who shall see these presents
Greeting

Know ye that reposing special trust and confidence in the patriotism integrity and abilities of Amos T. Akerman of Georgia. I have nominated and by and with the advice

and consent of the Senate do appoint him to be Attorney General of the United States, and do authorize and empower him to execute and fulfil the duties of that office according to law, and to have and to hold the said office with all the powers privileges and emoluments to the same of right appertaining unto him the said Amos T. Akerman, subject to the conditions prescribed by law.

Seal

In testimony whereof, I have caused these Letters to be made patent and the seal of the United States to be hereunto affixed.

Given under my hand at the City of Washington, the twenty-third day of June in the year of our Lord One thousand Eight hundred & Seventy and of the Independence of the United States of America the ninety-fourth.

By the President U. S. Grant

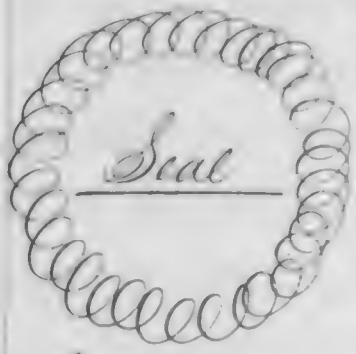
Hamilton Fish
Secretary of State.

The Honorable Benjamin H. Bristow appeared and produced the following Letters Patent, which were read in open court, & ordered by the court to be recorded on the Minutes of this court in the following words. viz:

Ulysses S Grant
President of the United States of America
To all who shall see these presents
Greeting

Know ye that reposing especial trust and confidence in the Integrity Ability and Learning of Benjamin H. Bristow I do appoint him to be Solicitor General of the United States and do authorize and empower him to execute and fulfil the duties of that office according to Law and to have and to hold the said office with all the powers privileges and emoluments thereunto of right appertaining unto him the said Benjamin H. Bristow until the end of the next session

of the Senate of the United States, and no longer subject to the conditions prescribed by law.



In testimony whereof, I have caused these Letters to be made patent, and the seal of the United States to be hereunto affixed.

Given under my hand at the City of Washington, the Eleventh day of October, in the year of our Lord one thousand eight hundred and seventy, and of the Independence of the United States of America the ninety-fifth.

By the President. U. S. Grant

Hamilton Fish

Secretary of State

At a meeting of the Bar of the City of Philadelphia, convened in pursuance of public notice, at the United States Court Room, on the 30th day of September, 1870. on motion of, Chief

Justice Thompson Judge Cadwalader was called upon to preside, and Samuel H. Perkins and George Harding, appointed Secretaries.

The following resolutions were then submitted by William M. Meredith seconded by Judge Parsons, and were unanimously adopted.

Whereas, In the ripeness of years, the Honorable Robert Cooper Grier, late one of the Justices of the Supreme Court of the United States, and an esteemed citizen of this Commonwealth died at his residence in Philadelphia on the 25th instant.

Resolved, That in the death of this eminent citizen, profound lawyer, and upright judge, we recognize the loss of one who by the unsullied purity of his judicial life, his social worth and his erudition in the law, assisted in maintaining beyond reproach the character of that Court of which he was for so long a part, and

where he contributed in an eminent degree to deepen and strengthen the great constitutional principles on which our republican institutions rest. The singular excellence of his private life, his unostentatious christian character his rare culture of mind and the grave simplicity of his life, commend the memory of the deceased to our admiration and esteem. His judicial services to his state and country, extending through a period of thirty-seven years, gave him the highest claim to the gratitude of his countrymen whom he served so long and so well. While his loss concerns the whole country, it is felt particularly in this his native state.

Resolved, That we mourn the death of Justice Robert Cooper Grier as that of one whose large courtesy, unvarying kindness and affectionate regard were shared in by all who were brought within the reach of

his influence. At the same time we desire to bear witness to his wisdom and learning, his benevolent nature, his unprejudiced judgment and his absorbing love for the right.

Resolved, That a committee be appointed by the Chairman of this meeting to assure the family of the deceased of our deep sympathy with them in the loss they have sustained, and that a copy of these resolutions be presented to them.

Resolved, That the Chairman and Secretary be requested to transmit a copy of the proceedings of this meeting to the Chief Justice of the Supreme Court of the United States, and to the President Judge of this Circuit, with a respectful request that the same may be laid before their respective Courts.

John Cadwalader
Chairman.

George Harding
Samuel H. Perkins } Secretaries

Proclamation being made the court is adjourned until tomorrow morning at ten o'clock.

Tuesday December 1st 1870.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices.

Richard C. Parsons Esquire Marshal.
David Worley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court on this behalf by Mr James M. Carlisle, it is ordered that Theophilus B. Morris Esquire of Baltimore State of Maryland, and John F. Kirk Esquire of Covington State of Kentucky be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the court in this behalf by Mr S. S. Konkle, it is ordered that Publius D. Foster Esquire of Antwerp Jefferson County State of New York be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

John Roland and J. S. Kennedy. 204 vs. Appellants The United States.

The argument of this cause was commenced by Mr Blair of counsel for the appellant, continued by Mr Wells of counsel for the appellees, and concluded by Mr Dick for the appellants.

Thompson Dean 205 vs Appellant. Thomas N. Nelson & wife et Den May.

The argument of this cause was commenced by Mr Holman of counsel for the appellant.

No termination being made, the court is adjourned until tomorrow morning at eleven o'clk.

Wednesday, November 2nd A.D. 1870.

Pursuant to adjournment the court met this morning at the Capitol.

Present.

The Honorable Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley

Associate Justices

Richard C. Parsons Esquire Marshal.
Daniel Tinsley District Clerk.

Proclamation being made the Court is opened.

On motion first made to the court in this behalf by Mr. E. P. Norton it is ordered that S. H. Johnston Esquire of Leavenworth the State of Kansas be admitted to practice as an attorney and Counsellor of this court and he was sworn accordingly

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Abner v Louis D. Campbell
Plaintiffs in error
216. vs.
William H Wilcox.

Mr E. P. Norton suggested the death of Abner & Campbell one of the plaintiffs in error, in this cause.

Thompson Dean
215. vs Appellant
Thomas A. Nelson
wife and Son May.

The argument of this cause was continued by Mr Kalman of counsel for the appellant, by Mr P. Phillips and Mr Craft of counsel for the appellees, and concluded by Mr Kalman for the appellant.

Abner L. D. Campbell.
Plaintiffs in error.
206. vs
William H Wilcox.

Ordered by the Court that this cause be, and the same is hereby continued to the next term.

Wednesday November 2nd 1870 continued

207

William C. Hall et al.
Plaintiffs in error.
vs.
The Nashville Chattanooga Railroad Company

The argument of this cause was commenced by Mr Attwood of counsel for the plaintiffs in error.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Thursday November 3rd 1870.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices.

Richard C. Parsons Esquire Marshal
Daniel Kelly Hudleston Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon. George F. Edmunds. It is ordered that Edwin M. Stanton Esquire of Washington City District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

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207 William C. Hall et al. vs. Plaintiffs in error. The Nashville & Chattanooga Railroad Company. | Ordered by the Court that this cause be, and the same is hereby passed for the present.

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209 Louis Hanauer vs. Plaintiff. Alden M. Woodruff. | This cause was submitted to the consideration of the Court on the record and printed argument of Mr. S. H. Garland of counsel for the plaintiff.

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210 Eliza C. Dews's Lessee vs. Plaintiff in error. Martha Craig et al. | The argument of this cause was commenced by Mr. R. J. Brent of counsel for the plaintiff in error, continued by Mr. S. S. Wallis of Counsel for the defendant in Error & concluded by Mr. Brent for the plaintiff.

Proclamation being made, the court is adjourned until tomorrow, morning at eleven o'clock.

Friday November 4th 1870.

Pursuant to adjournment the Court met this morning at the Capitol

Present.

The Honorable Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices.

Richard C. Parsons Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made the Court on the 1st ult. by Mr James M. Carlisle it is ordered that Charles H. Matthews Esquire of Georgetown District of Columbia be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the court in this behalf by Mr Edmund Sanders it is ordered that H. M. Knight Esquire of Jacksonville State of Florida be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

7.	Isaac Deming Appellant vs. The United States	Mr Sanders moved the court for leave to enter his appearance as counsel for the appellant, in this cause. Whereupon this court not being now here sufficiently advised of, and concerning what order to render in the premises, time to consider.

207.	William C. Hall and John L. Long, doing business under the firm style of Hall & Long. vs. Plaintiffs in error, The Nashville & Chattanooga R.R. Co.	In error to the Circuit Court of the United

States for the Middle District of Tennessee.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Middle District of Tennessee and on the motion of Mr Heard of Counsel for the plaintiff in error, stating that there is no error in the case, it is now here ordered and adjudged by this court, that this cause be, and the same is hereby dismissed with costs without prejudice.

Per Mr Justice Clifford.

William C. Hull, and John S. Long, doing business under the firm & style of Hull & Long. Plaintiffs in error
vs. The Nashville & Chattanooga Railroad Co.

On motion of Mr Heard it is now here ordered by the Court that leave be, and the same is hereby granted

leave to withdraw from the files of this Court, the transcript of the record in this cause, by leaving with the Clerk a receipt for the same.

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135. The Aetna Insurance Co. vs. Plaintiff in error. Charles C. Howe et al. | On motion of Mr F. P. Stanton it is now here ordered by the Court that leave be and the same is hereby granted leave to withdraw from the files of this Court, the transcript of the record in this cause, by leaving with the Clerk, a receipt for the same.

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274. William A. Maclorn et al. vs. Appellants, The Ship "Protector" et al. | On motion filed motion for leave to take out a commission to retake the deposition of Joseph Berry a material witness for appellants in this cause.

The State of Texas
Nonj: vs Complainant
Geo. W. Wells, John Chilcoat
and
The State of Texas
Nonj: vs Complainant
Geo. Peabody & Co. et al

On motion of Mr Durant it is now here ordered by the Court, that leave be, and the same is hereby granted him to enter his appearance for Complainant, the State of Texas in these cases.

The State of Texas
Nonj: vs Complainant
Geo. Peabody & Co et al.

Mr Durant suggested the death of George Peabody one of the defendants in this cause.

The State of Texas
Nonj: vs Complainant
Geo. Peabody &c et al.

On motion of Mr Durant leave granted him to file an amended bill in this cause.

The State of Texas Hon'g: vs. Complainant Jno. H. Wade, jr. Defendant.	Mr Durant filed motion for an attachment against George W. Stewart

which motion was ordered by the court to be set down for argument on Friday next the eleventh instant

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The State of Texas Hon'g vs. Complainant Geo. W. White jr. Defendant.	Mr Durant filed motion for an order on John Chiles to deposit in the hands of the clerk of this court, for the benefit of complainant certain Texas indemnity bonds &c. which motion was ordered to be set down for argument on Friday next the 11th instant.

The State of Texas Hon'g vs Complainant Geo. W. White jr. Defendant.	Mr Durant filed motion for a rule on George W. Pas chal requiring him to pay over to the clerk of this court for the

Counsel of the Complainant, certain sums of money received by him as counsel in this case, which motion was ordered by the Court to be set down for argument on Friday next the 11th instant.

75.	Lessee of Mary A. Brent vs. John F. Brack et al.	Plaintiff in error.	On motion of Mr Brent it is now here ordered by the Court, that this cause be, and the same is hereby set down for argument on Tuesday the 22nd instant.

178.	Wells Fargo & Company vs. Morris C. Singleton.	Plaintiff in error.	On motion of Mr Ashton it is now here ordered by the Court that the order of Continuance entered in this cause be, and the same is hereby stricken out.

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178. Wells Fargo & Company } vs. Plaintiffs in error.
Mary C. Leighton } Writ of error to the Circuit Court of the United States for the District of Nebraska

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Nebraska, and on the motion of Mr Ashton of counsel for the plaintiffs in error, it is now here ordered and adjudged by this court that this writ of error be, and the same is hereby dismissed with costs.

per Mr Justice Clifford

Clair Dreau et al.
475. vs. Plaintiffs in error,
The Crescent City & L. Landing & Slaughter H. Co.

Butchers Benevolent Assn of New Orleans
476 vs Plaintiffs in error.

The Crescent City L.S.L. & Slaughter House Co.

The Board of Health of the State of New Orleans.

1,797 vs Plaintiffs in error.

The Crescent City L.S.L. & Slaughter House Co.

Live Oak Cemetery, &c. Roche et al.

1179. vs. Plaintiffs in error.

The State of Louisiana ex rel. Belden Atty Genl.

and

The Board of Health of the State of New Orleans.

1231. vs Plaintiffs in Error.

The Crescent City L. S. Landing and Slaughter House Company.

The argument of the motion for writs of supersedeas and injunction in these cases was commenced by Mr. Hornblower in favor of the motions. The further argument of these motions postponed until Friday the Eighteenth instant.

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212. The Municipality Columbia &c. Paul Spofford et al. Claims. vs. Appellants. James H. Bunting.

This cause was argued by Mr C. C Bene deit of Counsel for the appellants, and by Mr C. Donohue for the appellee.

Proclamation being made the Court is adjourned until Monday morning next at eleven o'clock

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Monday November 7th 1870

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
} Associate Justices.

Richard C. Parsons Esquire, Marshal.
Daniel Lesley Middleton Clerk.

Proclamation being made the court is opened.

On motion first made to the court in this behalf by Mr T. J. Durant, it is ordered that James F. Belden Esquire of New Orleans State of Louisiana be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the court in this behalf by Mr R. M. Corwine

It is ordered that T. H. N. McPherson Esquire of Washington City District of Columbia be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Ordered by the Court that the proceedings of the New Jersey Bar, in respect to the death of Mr Justice Grier, be entered on the minutes of this Court, - as follows:

In the Circuit Court of the United States for the District of New Jersey.

September Term 1870.

Upon announcing the death of the Honorable Justice Grier, at the opening of this term of court September 5th, the Honorable William McKennan, Circuit Judge, said.

Throughout the Circuit in which Judge Grier so long presided, the announcement of his death will carry with it unusual impressiveness

to speak in this place at any length of his eminent judicial qualities and his marked personal character would be superfluous, for here they were familiarly known and appreciated by all. Endowed by nature with uncommon intellectual powers, they were invigorated by diligent culture & thorough discipline, and were enriched by attainments which embraced a wide range of legal classical and scholarly learning. Merit such as his could not long fail of recognition, and so he was elected to preside over a State tribunal invested with an extended and varied jurisdiction. His transfer to the higher sphere of the Supreme Court of the United States was a natural sequence of his tried fitness for its more comprehensive and exacting duties. How "clear he was in his great office", with what faithfulness, uprightness, learning and ability he responded to all its

demands, with what absorbing earnestness he was devoted to the distribution of justice, with what unsparing and demonstrative sternness to the repression of wrong. the Bar of the whole country can bear witness.

For nearly a quarter of a century he increased the reputation of his office with unsurpassed ability and he put off its robes at last only when advanced age and growing infirmities warned him that he might dutifully seek rest in retirement.

His character and fame are now historical.

The Committee appointed on the 27th instant to draft and report Resolutions expressive of the sorrow of the Bar of New Jersey on the death of Mr Justice Grier and their appreciation of his high judicial character and

personal worth, reported the following through Hon A. D. Keasby, which were unanimously adopted and ordered by the Court to be entered upon its minutes and filed in the office of the Clerk.

Resolved That the Bar of the District of New Jersey have learned with sincere regret, the death of Hon Robert C. Grier, late one of the Justices of the Supreme Court of the United States, and for more than twenty years the presiding Judge of the Circuit Court in this District. His professional and judicial career covers more than half of our national existence. During that period he bore a distinguished part in moulding and building up the system of American jurisprudence, and attained the highest honors and rewards of the lawyers life. His labors will live long after him in their influence upon the political and

legal history of his country.

His rich and varied learning his clear comprehension of legal principles, his thrilling power of close reasoning and forcible expression, his uprightness, sincerity and independence of character, his zeal and faithfulness in the discharge of his judicial duties, his pure and blameless personal life and his kind and courteous bearing to the members of the bar, will cause him to be held in memory as one of the marked figures in our earlier judicial history - standing in the front rank of distinguished American jurists.

Resolved - That the Circuit Court be requested to cause these resolutions to be entered on the minutes, and that a copy be transmitted to the family of the deceased and also to the Chief justice of the Supreme Court of the United States.

Abraham Browning
Thomas P. Carpenter
A. D. Keasbey
Committee

A true copy from
the minutes.
S. D. Oliphant
Clerk

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34 The Baltimore & O. R. R. Co. vs. Pitts in Error John C. Harris, admr. and The Merchants National Bank of Baston.

175 vs. Plaintiff in error The State National Bank

Ordered by the court that these causes be continued Cur. Adv. Vult until the next term of this court

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7 Grant Downing vs. The United States. Appellant

On consideration of the motion filed on the 4th instant, by Mr Lander for leave to enter his appearance for the appellant in this cause it is now here ordered by the court

that said motion be, and the same is hereby granted.

per Mr Justice Clifford

7	Israel Deming vs Appellant The United States	Mr Sawyer of Counsel for the appellant, filed motion to vacate the order heretofore made, dismissing this cause, and to reinstate this cause on the docket of this Court - Which motion was ordered to be set down for argument on Friday next the Eleventh instant

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211	The National Bank of the Republic vs. Plaintiff in error. Rees & Millard	The argument of this cause was commenced by Mr Coe of Counsel for the plaintiff in error - continued by Mr E L Stanton of Counsel for the defendant in error and concluded by Mr Bradley for the plaintiff in error.

Monday November 7th 1870 Continued

213. The Washington Georgetown and Alexandria Railroad Company and Alexander Hay.
vs. Appellants,
The Mayor, Board of Aldermen and Council of Washington et al.

The argument of this cause was commenced by Mr. R. J. Brent of counsel for the appellants.

Proclamation being made the Court adjourned until tomorrow morning at Eleven

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Tuesday November 8th 1870

Pursuant to adjournment the court met this morning at the Capitol

Present.

The Honorable Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
} Associate Justices.

Richard C. Parsons Esquire Marshal
Daniel Wesley Middleton Clerk.

Proclamation being made the court is opened.

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213. The Washington, Georgetown and Alexandria Railroad Company v. Alex. Hay et al. vs. Appellants, The Mayor, Board of Aldermen & Council of Washington et al.

On motion of Mr Bartley, it is now here ordered by the court that leave be, and the same is hereby granted him to file his brief in this cause, &c

that they counsel be permitted to argue this cause in behalf of the appellees without extension of time.

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213. The Washington Alexandria & Georgetown R.R. Co. and Alexander Hays vs. The Mayor & Board of Aldermen of Washington and others.

The argument of this cause was continued by Mr Brent of counsel for the appellants by Mr Jardine and Mr Bailey of counsel for the appellees. The Court declined to hear further argument in the cause.

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214. John B. Braun vs. Pfeiffer in error. The U. States vs.

This cause was argued by Mr R. J. Brent of Counsel for the plaintiff in error, and by Mr Assistant Attorney General Hill

of Counsel for the defendant in error.

H. B. Wood, Plff. in error. vs. DeForrest Richards.	Ordered by the Court that this cause be, and the same is hereby continued to the next term of this court.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Wednesday November 9th 1870.

Pursuant to adjournment the court met this morning at the Capitol.

Present

The Honorable Nathan Clifford
Noah H. Swayne.
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices

Richard C. Parsons Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the court is opened.

On motion first made to the court in this behalf by Mr F. W. Bartley it is ordered that W. A. Danger Jnr Esquire of Washington City District of Columbia be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

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216 The Keystone Mut Ins Co Appellants. vs The Steamer "Lulu" The N.Y Guaranty and Indemnity Company.

The argument of this cause was commenced by Mr George H. Williams of counsel for the appellants, continued by Mr H. Ward Addison of counsel for the appellees, and concluded by Mr Orville Horwitz of counsel for the appellants.

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217 Joseph A. Cooper vs. Plaintiff in error. John Doe, lessee of Robert B. Reynolds.

On motion of Mr Phillips on behalf of Mr Maynard of counsel for the plaintiff in error, and consent of the Counsel of counsel for the defendant in error, it is now here ordered by the Court that this cause be, and the same is hereby passed for the present

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218 Mississippi & Missouri Railroad Company. vs. Plaintiffs in error. A. M. McClure et al

This cause was argued by Mr Grant of counsel for the plaintiff in error.

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220 The Memphis & Charleston Railroad Company. vs. Plaintiff in error. Samuel Reeves

Ordered by the Court that this cause be, and the same is hereby passed for the present.

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221 Stephen A. Jones. vs. Appellant Jos. J. Andrews et al.

This cause was argued by Mr P. Phillips and Mr Roundy Johnson of counsel for the appellant and submitted on printed argument by Mr Peck and Mr Robert Johnson of counsel for the appellees.

Wednesday November 9th 1870. Continued

222.	William H. Gunnell vs Assistant J. H. Bird, admr. dat	The argument of these cases was commenced by Mr McPherson of counsel for Bird
4414	and J. H. Bird, admr. dat. vs Assistant. William H. Gunnell	

Proclamation being made the Court is adjourned until tomorrow morning at Eleven o'clock

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Thursday November 10th 1870

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Nathan Clifford,
Noah H. Swayne
Samuel F. Miller
David Davis,
Stephen J. Field,
William Strong
Joseph P. Bradley.
} Associate Justices.

Richard C. Parsons Esquire, Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made, the Court is opened.

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777 William H. Gunnell
vs
J. K. Bird, adm'r et al.
and
J. K. Bird, adm'r et al.
vs
William H. Gunnell

444 Appellant.
Appellees.
Appellants.
Appellees.

The argument of these cases was continued by Mr McPherson of counsel for Bird, by Mr J. K. Bradley of counsel for Gunnell, and concluded by Mr

Thursday November 11th 1858 continued.

Carlisle of counsel for Bird.

220	The Memphis & Charleston Railroad Company vs. Samuel Reaves.	Plaintiff in error.	This cause was argued by Mr. J. Phillips of Counsel for the plaintiff in error, and submitted on printed argument by Pike and Johnson of Counsel for the defendant in error.

223.	The Steamer "Cotton Plant" David C. Laws &c. Claimants vs. The United States.	Appellants	Ordered by the Court that this Cause be, and the same is hereby continued to the next term of this Court.

224	U. P. Corbett vs. Hiram Merriam & U. S. Neff Trustee &c.	Ordered by the Court that this cause be, and the same is hereby continued to the next term of this Court. Counsel of record for the respective parties.

Proclamation being made, the Court is adjourned until tomorrow morning at eleven o'clock.

Friday November 11th 1870.

Pursuant to adjournment the court met this morning at the Capitol.

Present.

The Honorable Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley.
} Associate Justices.

Richard C. Parsons Esquire Marshal.
Daniel Henry Watkins Clerk.

Proclamation being made the court is opened.

The New Orleans, Opelousas & Great Western R. R. Co. Plaintiffs in error, vs. Charles Morgan. Defendant in error.

The argument of the motion to dismiss this writ of error, was commenced by Mr Jenckes in support of the motion - continued by Mr P. Phillips in opposition thereto, and concluded

by Mr Jenckes in favor of the motion.

7.	Israel Deming vs Appellant The United States	The motion to vacate that part of the order of court dismissing the

appeal in this cause was argued by Mr Saunder in support of the same, the Attorney General filing written consent thereto. Whereupon this court not being now fully sufficiently advised of and concerning what order to render in the premises took time to consider.

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4 cases	The State of Iowa vs. Complainant George W. White John Chiles et al.	Ordered by the court that the motions for a rule on John Chiles, and for an attachment against George W. Stewart be, and the same are hereby post poned until Friday the 25th instant.

The State of Texas Vers. vs Complainant. George W. Tibbs John Chiles et ab.	Ordered by the Court that the motion for an order to take testimony as to Charles P. Shaw's indebtedness be, and the same is hereby postponed until Friday next the 18th instant.

The State of Texas. Vers. vs Complainant George W. Tibbs. John Chiles et al.	The motion for a rule on George W. Tibbs to show cause &c. was argued by Mr Durant in favor of the motion, and by Mr Ridden in opposition thereto. Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

The State of Texas Vers. vs. Complainant Elizabeth Eve et al.	Mr Durant moves the Court for leave to

file motion for a rule on George H. Paschal to show cause why his name should not be stricken from the docket as of counsel for the complainant in this cause which motion was opposed by Mr Riddle. On consideration whereof, it is now here ordered by the Court that leave be, and the same is hereby granted him to file said motion.

4110. The United States vs. Appellants / The Heirs of Juan Bautista Vigil, dec'd. | Mr Watts for motion to dismiss this cause which motion was ordered by the court to be set for argument on Friday next the 18th instant.

Proclamation being made the court is adjourned until Monday morning next at eleven o'clock.

Monday November 14th 1870.

Pursuant to adjournment the court met this morning at the Capitol.

Present

The Honorable Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices.

Richard C. Parsons, Esquire Marshal.
Daniel Hesley McMillan Clerk.

Proclamation being made the court is opened.

On motion filed made to the Court in this behalf by Hon B. R. Curtis, it is ordered that Edward J. Phelps Esquire of Burlington State of Vermont, be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

The Steamship "Columbia" her tackle &c. Paul Shofford et al. Claimants. vs. Appellants. James H. Bunting

212.

Appeal from the Circuit Court of the United States for the Southern District of New York

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by Counsel. On consideration whereof it is now here ordered adjudged, and decreed, by this court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs and interest, until paid at the same rate per annum that decrees bear in the courts of the State of New York.

Per Mr Justice Strong

Peter C. Dorsey's Exec'r
& Plaintiff in error.
vs.
Martha Gray, Thomas
Palmer, James Good
land, John Bright,
Henry C. Legg Thomas
Tanner, & Thomas Jane.

In error to
the Circuit
Court of the
United States
for the District
of Maryland.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maryland, and was argued by Counsel On consideration whereof, it is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs. per Mr Justice Miller.

Israel Deming
vs
Maryland
The United States.

On consideration of the motion filed by Mr Sanders to reinstate this cause on the docket, and of the

argument of Counsel thereupon had, it is now here ordered by the Court that said motion be, and the same is hereby denied.

per Mr Justice Clifford

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321. The New Orleans, Opelousas and Great Western Railroad Company vs Plaintiffs in error Charles Morgan.

On consideration of the motion filed by Mr J. A Jenckes, to dismiss this writ of error, and of the argument of Counsel thereupon had as well in support of, as against the same, it is now here ordered by the Court that said motion be and the same is hereby denied.

per Mr Justice Clifford.

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1 Orig: 21 The State of Texas Complainant vs George W White, John Chiles et al.

On consideration of the motion filed in this cause by

Mr T. J. Durant for a rule on George W. Paschal to show cause why certain moneys should not be paid into the hands of the Clerk of this Court, and of the argument of Counsel thereupon had, as well in support of, as against the same Ordered that a rule nisi to George W. Paschal returnable on Friday next the 18th instant to show cause, if any why the rule prayed in the motion shall not be granted, with leave to the parties to file at the hearing on the rule now ordered such affidavits pertinent to the issue involved in the rule as they respectively shall be advised are necessary to the present inquiry.

per Mr Justice Clifford.

The State of Texas, Complainant
vs.
Geo. Paschal et al. Defendants

On consideration of the motion filed in this cause by Mr T. J. Durand,

that the name of George W. Paschal, be stricken from the docket of this Court, as of counsel for the complainant in this cause, and of the arguments of counsel thereupon, had as well in support of as against the same. Ordered that a rule nisi issue to George W. Paschal, returnable on Friday next the 18th. instant, to show cause, if any, why his name shall not be stricken from the docket in this Case, as counsel for the complainant, as prayed in the pending motion, with leave to the parties respectively to file at the hearing on the return of the rule such affidavits pertinent to the issue as they are advised are essential to the matter in controversy.

Per Mr Justice Clifford.

The State of Texas
10. orig. vs. Complainant
Geo. Peabody's Exrs &c al

Mr Durant of counsel for the com.

plaintiff filed motion for leave to the clerk to issue subpoenas in this cause to the defendants. Whereupon this court not being now fully advised of and concerning what order to render in the premises took time to consider.

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225 The Rutland Marble Co. vs. Appellant. D. Y. Ripley et al. and D. Y. Ripley et al. vs. Appellants. 226 The Rutland Marble Co.

The argument of these cases was commenced by Mr E. J. Phelps of Counsel for the Rutland Marble Company and continued by Mr Edmunds of Counsel for Ripley et al.

Proclamation being made the court is adjourned until tomorrow morning at eleven o'clock.

Tuesday November 15th 1870.

Pursuant to adjournment the court met this morning at the Capitol.

Present

The Honorable Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices

Richard C. Parsons Esquire Marshal
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened

On motion first made to the court in this behalf by Hon Caleb Cushing it is ordered that George H. Chandler Esquire of Baltimore State of Maryland, be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly

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On motion, first made to the court in this behalf by Hon. B. R. Curtis, it is ordered that N. Sherman Esquire of Hartford, State of Connecticut be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

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240 The Liverpool & London Life & Fire Insurance Company vs. Henry H. Weir, Treasurer. Plaintiff in Error

On motion of Mr Curtis of counsel for the plaintiff in error, it is now here ordered by the court, that this cause be, and the same is hereby continued to the next term of this court.

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259 Simon King vs Appellant, C. C. Schimmaker.

On motion of Mr Curtis it is now here ordered by the court that this cause, be, and

the same is hereby continued to the next term of this Court.

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225 The Rutland Marble Co. vs. W. Y. Ripley et al. and W. Y. Ripley et al vs. The Rutland Marble Co. 226.

Appellant. Appellants

The argument of these cases was continued by Mr Edmunds and Mr Evarts of counsel for Ripley et al, and by Mr B. F. Curtis of counsel for the Rutland Marble Company.

Proclamation being made, the Court is adjourned until tomorrow morning at eleven o'clock.

Wednesday November 16th 1870.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Nathan Clifford
Noah H Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley

Richard C Parsons Esquire Marshal.
Daniel Newby Middleton Clerk.

Proclamation being made the Court is opened.

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223 The Rutland Marble Co. vs Appellant
P. Y. Ripley et al.
and
P. Y. Ripley et al
230. vs Appellants
The Rutland Marble Co.

The argument of these cases was concluded by Mr B. R. Curtis of counsel for the Rutland Marble Company.

Wednesday December 15th 1841 Continued

217.	Joseph S. Cooper vs Pfff in error, John Doe, Lessee of Robert B. Reynolds	The argument of this cause was commenced by Mr R. Maynard of counsel for the plaintiff in error, continued by Mr J. H. Bloore of counsel for the defendant in error, and concluded by Mr Maynard for the plaintiff in error.

227.	Robert S. Stevens vs Pfff in error. Victoria Smith	These cases were argued by Mr Denver of counsel for the plaintiffs in error, and submitted on printed Argument by Mr Black of Counsel for the defts in error.
228	Robert S. Stevens vs Pfff in error Pelagie De Aubrie. And	
229	Robert S. Stevens vs Pfff in Error Adel Pellemarde	

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230 George Chorpenning vs The United States

On motion of Mr Moore of Counsel for the appellant it is now here ordered by the court that this cause be, and the same is hereby passed for the present.

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231 Arthur C. Ducat vs The City of Chicago

Ordered by the Court that this cause be, and the same is hereby continued to the next term of this court (per Stipulation of Counsel on file.)

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233 The Baltimore and Ohio Railroad Compy vs The Supervisors of Marshall County et al.

Ordered by the Court that this Cause be, and the same is hereby continued to the next term of this court. (per Stipulation of Counsel on file.)

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388. The United States vs. Appellants / Frederick Scharfer | Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and on the motion of Mr Assistant Attorney General Talbot of counsel for the appellants, it is now here ordered adjudged and decreed by this court that this appeal be, and the same is hereby dismissed.

per Mr Justice Clifford.

Proclamation being made, the Court is adjourned until tomorrow morning at eleven o'clock.

Thursday, November 17th 1870.

Pursuant to adjournment the Court met this morning at the Capitol

Present.

The Honorable Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices.

Richard C. Parsons Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court on this behalf by Mr Philip Phillips, it is ordered that J. L. A. Fellows Esquire of New Orleans State of Louisiana, be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

262.	James May vs. Appellant Marguerite Le Blanchet.	Mr Carpenter of counsel for the appellees filed motion to dismiss this appeal

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388.	The United States vs Appellants Frederick Schaefer.	On motion of Mr Stoughton. Leave granted the Clerk to issue the mandate in this cause.

78.	Lessee of Mary H. Probst vs. Plaintiff in error. John F. Brock et al	On motion of Counsel. Ordered that this cause be set down for argument on Tuesday the 29th instant.

234.	The United States vs. Tiff, in error. Wm. Hodson et al. And	The argument of these cases was commenced by Mr Hoar.

The United States vs. Piff in error Wm Hodson et al.	Attorney General Hill of Counsel for the plaintiffs in error.

Continued by Mr Carpenter of counsel for the defendants in error, and concluded by Mr Solicitor General Bristow for the plaintiffs in error.

R. V. Yates vs. Appellant City of Milwaukee et al.	Ordered by the court that this cause be & the same is hereby continued to the next term. Per Stipulation of counsel.

Jr. W. Barnard. vs. Piff in error. J. F. Kellogg et al.	The argument of this cause was commenced by Mr Chas E. Perkins of Counsel for the plaintiff in error, continued by Mr A. Spencer of counsel for the defendant in error and concluded by Mr Perkins for the plaintiff in error.

Proclamation being made the court is adjourned until tomorrow morning at eleven o'clock.

Friday November 18th 1870.

Pursuant to adjournment the court met this morning at the Capitol.

Present.

The Honorable Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices.

Richard C. Parsons Esquire Marshal
Daniel Wesley Middleton, Clerk

Proclamation being made, the court is opened.

On motion first made to the court on this behalf by Mr F. J. D. Fuller it is ordered that Fred Chase Esquire of Washington City, District of Columbia, be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

On motion first made to the court in this behalf by Mr Solicitor General Preston, it is ordered that W. H. Wadsworth Esquire of Maysville State of Kentucky, be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

On motion first made to the court in this behalf by Mr Attorney General McKeman, it is ordered that Dudley Field Esquire of New York City, State of New York, be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

The State of Texas.
11 orig: Cs Complainant
Geo W. White, Jno Chiles dat.
and
The State of Texas
10 orig: Cs Complainant
Geo. Peabody's Ors Def.ts

On motion of Mr Riddle it is now here ordered by the court that the hearing of the rules granted in these causes

Co, and the same is hereby post poned until Friday next the 25th instant.

	Robert Smead et al	The argument of the
475.	vs Plffs in error	motions for dispersal
	C. C. L. S. L. & Slaughter House Co.	ches & injunction in
	The Butchers Ben Ass. of L. C.	base cases was con
476.	vs. Plffs. in error	tinued by Mr J. J. Du
	C. C. L. S. L. & Slaughter house Co	mal, & Mr Black in
	The So. S. Prairie Butchers Ass of L.C.	opposition thereto, &
477	vs Plffs in Error.	concluded by Mr J.
	The C. C. L. S. L. & S. House Co.	Phillips in support
	Paul Esteban & others	of the motions - Mr
479	vs Plffs. in Error	J. D. A. Fellows
	State of La. & Wm. S. Belden, Atty Gen	of counsel for
	and	the plaintiffs
	The Butchers Benevolent Asso-	in error made
	ciation of New Orleans	a brief state
480.	vs Plffs in Error.	ment of the facts
	The C. C. L. S. Landing	by permission of
	& Slaughter House Co.	the court.

Proclamation being made the court is adjourned until Monday morning next at eleven o'clock.

Monday November 21st 1870.

Pursuant to adjournment the Court met this morning at the Capitol

Present.

The Honorable Salmon Chase
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices.

Richard C. Parsons Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Thomas Donaldson it is ordered that Benjamin C. Trustman Esquire of Baltimore State of Maryland be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

222.	William H. Gunnell. vs Appellant John H. Bird, admr. d. b. n. of Wm. Bird, decd. and David Hepburn administrator of D Hepburn, decd and John H. Bird admr d. b. n. of Wm Bird, decd.	Appeals from the Supreme Court of the District of Columbia
1414.	vs. Appellant. William H. Gunnell.	

These appeals came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and were argued by Counsel. On consideration whereof, it is now here ordered and judged and decreed by this Court, that the decree of the said Supreme Court, in this cause be, and the same is hereby reversed with costs to the complainants.

And this Court proceeding to render such decree upon

the whole matter of the appeal and the cross appeal in the same cause as the said Supreme Court ought to have rendered, doth order adjudge and decree that the complainant John H. Bird administrator de bonis non of William Bird deceased and David Hepburn administrator of Peter Hepburn deceased do have and recover of the said William H. Gunnell the sum of six thousand eight hundred and eighty nine dollars and thirty nine cents with interest from the first day of May A.D. 1849 and cost.

And it is further ordered adjudged and decreed that this cause be and the same is hereby remanded to the said Supreme Court with directions to that Court to carry the aforesaid decree of this court into effect.

per Mr Justice Bradley.

214. John B. Braun vs. Peter G. Sauerwein | Error to the Circuit Court of the United States for the District of Maryland.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maryland, and was argued by counsel - On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court, in this cause be, and the same is hereby affirmed with costs.

Per Mr Justice Strong.

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204. John Roland and J. L. Hornsby vs. The United States. | Appeal from the District Court of the United States, for the District of California.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of California, and was argued by counsel - On consideration whereof, it is now here ordered adjudged and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby reversed - And that this cause be, and the same is hereby remanded to the said District Court with directions to enter a decree confirming the claim of the petitioner.

Dissr Mr Justice Field.

The National Bank of the Republic, pltf in error
vs.
Rees J. Hilliard.

In error to the Supreme Court of the District of Columbia.

This cause came on to be heard on the transcript of the record from

the Supreme Court of the District of Columbia, and was argued by Counsel. On consideration whereof, it is now here ordered & adjudged by this Court that the judgment of the said Supreme Court, in this cause be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Supreme Court, with directions to award a venire facias de novo

per Mr Justice Davis.

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220 The Memphis and Charleston R. R. Co. pl. in err. vs. Samuel Reeves. | In error to the Circuit Court of the United States for the Western District of Tennessee.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western

District of Tennessee and was argued by Counsel On consideration whereof it is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed with costs, And that this cause be, and the same is hereby remanded to the said Circuit Court with directions to award a new trial in conformity with the opinion of this Court.

per Mr Justice Miller.

The Washington Alexandria and Georgetown Railroad Co. and Alexander Hay.		Appeal from the Supreme Court of the District of Columbia.
220	vs	
The Mayor, Board of Aldermen, and Board of Common Council of the City of Washington, J. H. Bradley & al.	Appellants	

This cause came on to be heard,

on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof, it is now here ordered adjudged and decreed by this court, that the decree of the said Supreme Court in this cause be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Supreme Court for further proceedings to be had therein in conformity to the opinion of this Court

per Mr Justice Swayne

Henry K Hazlehurst, and William D. Morgan 216 28 Appellants. The Steamer "Sussex" The New York Guaranty and Indemnity Company. Claimants

Appeal from the Circuit Court of the United States for the District

of Maryland.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maryland, and was argued by counsel. On consideration whereof, it is now here ordered adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause be, and the same is hereby reversed with costs, and that this cause be, and the same is hereby remanded to the said Circuit Court with directions to enter a decree affirming the decree of the District Court.

per Mr Justice Clifford

Monday November 21st 1870 continued

3 orig: Comwth of Virginia, Complt. vs State of West Virginia
15 Archibald P. Scarlett Defendant vs Jesse W. Smith
36 William W. Farrington Defendant vs. Rosse & Saunders
60 Henry S Dexter " " " Mary K Hall et al.
89 Peter Miller " " " Lester McKenzie et al.
98 A.Y.P. Garnett " " " United States.
99 A.Y.P. Garnett " " " Same
127 Saml Miller Exors " " " Same
154 N.B. Tyler " " " J.T. Tyrees
179 W.W. McVeigh " " United States
119 Noel B. Boyden dec'd. " " Same
121 John G Halliburton dec'd. " " Same
126 Wm. A. Berens et al " " " Same
435 John Bleyer et al " " " Same
237 United States plaintiffs " J.W. Pugh
318 Same " " James Tyree.
64 Wm. B. Ross Defendant " Thos. G. Lee dec'd.
332 The Ship Sapphire &c. Appts " Napoleon III

Ordered by the court that the argument of these cases be assigned for the 1st Tuesday of February next, instead of the 1st Tuesday of December, as heretofore ordered.

The Baltimore and Ohio Railroad Company.	Ordered by the court that this cause be continued
341 vs Plaintiffs in Error.	
John C. Harris admr.	

for the argument, on the 1st Tuesday of February next, after the cases already assigned for that day.

Order.

The Hon. Justice Clifford announced to the Bar that the Court will adjourn over from Wednesday next to the following Monday.

William H. Seymour et al.	On motion of Mr Wright it is ordered
230 vs. Appellants.	
David McOsborne et al.	

by the court that two additional hours be granted in the argument of this cause.

220	The Memphis & Charleston Railroad Company vs. Samuel Reeves	Mr Pitt has filed certified copy of writ of

error in this cause

239	E H. Edmonson vs. H. Bloomstein et al.	Ordered by the Court that this cause be, and the same is

hereby continued to the next term.

240	The Philadelphia Wilmington & Balto. R.R.Co. vs. Jeff in error J Trimble et ux et al	The argument of this Cause was commenced by Mr Thomas Donaldson of counsel for the plaintiff in error, and continued by Mr Freestman of counsel for the defendant in error.

Proclamation being made, the Court is adjourned until tomorrow morning at eleven o'clk.

Tuesday November 22nd 1870.

Pursuant to adjournment the Court met this morning at the Capitol

Present.

The Honorable Nathan Clifford
Noah H Swayne
Samuel F Miller
David Davis
Stephen J Field
William Strong
Joseph P Bradley
} Associate Justices

Richard C Parsons Esquire Marshal
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

The State of Texas Complainant
10 ors vs
Jio Railways Corporation

Ordered by the Court that subpoenas issue in this Case as prayed by Mr Durant

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240.	The Philadelphia, Wilming ton & Baltimore R. R. Co. vs. Pitts. in error J. Trimble & ux et al.	The argument of this cause was

continued by Mr Pressman and by Mr Wallis of counsel for the defendant in error. The concluding argument postponed until Monday next.

241.	The Steamer Daniel Ball vs. The United States Appellant.	This cause was submitted to the

consideration of the court on the record and printed argument by Mr A. J. McReynolds of counsel for the appellants and by Mr Attorney General Akerman of counsel for the appellee.

242.	Frederick B. Tilley vs. The City of Cincinnati Appellant.	Appeal from the Circuit Court of the

United States for the Southern District of Ohio.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States, for the Southern District of Ohio, and on the stipulation of counsel on file, it is now here ordered adjudged and decreed by this Court, that this appeal be, and the same is hereby dismissed at the costs of the appellant.

per Mr Justice Clifford

William H. Field
vs
Wm. M. Farrington et al.

This cause was submitted to the consideration of the Court on the record and printed argument by Mallory Rose of counsel for the plaintiff in error, and by Mr A. H. Garland for the defendant in error.

	E. E. Downham	Ordered by the
244.	vs. Iff in error.	Court that these
	The City of Alexandria	cases, be, and
	and	the same are
	The United States.	hereby passed
245.	vs. Appellant.	for the pres
	Joseph W. Price.	ent

	T. M Veagh	
246.	vs. Iff in error,	
	A. H. Sears, Coll.	
	&c. City of Chicago.	Ordered by the court
		that these cases
	T. M Veagh	be, and the same
247.	vs. Iff. in error,	are hereby continued
	A. Newhaus Coll.	and to the next
	of Comm. Nat'l	term of this court
	Bank of Chicago.	
	and	
	G. Crompton	
248.	vs. Appellant	
	The Belknap Mills	

Tuesday November 22nd 1870 continued.

William H. Seymour et al.			The argument of this cause was commenced by Mr George Gifford of counsel for the appellants and continued by Mr D. Wright of counsel for the appellees.
250	vs	Appellants	
David McOsborne et al.			

Proclamation being made the Court is adjourned until tomorrow morning at ten oclock.

Wednesday November 23rd 1870

Pursuant to adjournment the Court met this morning at the Capitol

Present.

The Honorable Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices.

Richard C. Parsons Esquire Marshal.
Daniel Kelley Middleton, Clerk.

Proclamation being made the court is opened.

Wm. H. Seymour et al.
vs. Appellants.
David McOsborne et al.

250.

The argument of this cause was continued by Mr Wright of counsel for the appellees, and concluded by Mr E. H. Houghton of counsel for the appellants.

Wednesday November 23rd 1831 continued.

Lessee of Mary H. Brobst, vs. } 78. P.H. in error. John P Brook et al.	Ordered by the court that this cause be,

and the same is hereby continued to the next term. the counsel having appresed the court that they would not be prepared to argue it on the 28th instant. the day on which it had been assigned for argument.

Proclamation being made, the court is adjourned until Monday morning next at eleven oclock.

Monday. November 28th 1870

Pursuant to adjournment the court met this morning at the Capitol

Present -

The Honorable Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices

Richard C. Parsons Esquire Marshal
Daniel Wesley Middleton Clerk.

Proclamation being made, the court is opened.

On motion first made to the court in this behalf by Mr Solicitor General Bristow it is ordered that Gabriel C Wharton Esquire of Louisville, State of Kentucky be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

Monday November 28th 1870. Continued

On motion first made to the Court in this behalf by Mr J. D. Freeman, it is ordered that W. S. Roberds Esquire of Austin State of Texas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

The Philadelphia, Wilmington & Balto R. R. Co. vs. Pitts. in Error. Jumbo etux et al. | The argument of this cause was concluded by Mr Schley of counsel for the plaintiff in error.

E. E. Downham vs. Riff in error. The City of Alexandria | This cause was argued by Mr D. S. Smoot of counsel for the defendant in error and submitted on printed argument by Mr Brent and Mr Wallace of counsel for the plaintiff in error.

Monday December 28th 1870. Continued.

245. The United States vs Appellant / Joseph H. Price — This cause was argued by Mr Assistant Attorney General Talbot of counsel for the appellant, and by Mr Chipman for the appellee.

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365. The United States vs Appellant / J. S. Klein — Mr Attorney General Aker moved filed motion to send back this cause to the Court of Claims with a mandate directing the same to be there dismissed for want of jurisdiction, as now required by law.

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439. John F. Purgood vs Appellant / The United States — Mr Assistant Attorney General Talbot filed motion to dismiss this cause for the want of jurisdiction as now required by law.

251	John A. Kenton as Appellant vs Volney E. Howard et al	The argument of this cause was commenced by Mr W. W. Boyce of counsel for the appellant. Continued by Mr Phillips of counsel for the appellees and concluded by Mr Boyce for the appellant.

326	Dunlap Moncure & Co. et al. vs Piffs in Error. James E. Yeuds.	Mr Phillips suggested the death of Lewis D. Minor one of the plaintiffs in error in this cause and moved the Court for leave to enter the appearance of Henry D. Minor in his own behalf, and as Tutor, and Rudolph Brand under Tutor of George D. Minor, John S. Minor, Nancy Minor, and Ellen T. Minor, Minor Children, and John S. Mumford, and Ellen M. Mumford, as heirs and legal representatives of the said L. D. Minor deceased

as parties plaintiffs in error in this cause On consideration whereof it is now here ordered by the Court that the appearance of the said Henry D. Minor et al be entered and they are hereby made parties plaintiffs in error in this cause with liberty to prosecute this writ of error.

Edmund J Hanrick's admr. vs. Joseph Neely et al. | This cause was argued by Mr H. G. Hale of counsel for the plaintiff in error no counsel appearing for the defendant in error.

255.

Charles Clark et al vs. The Steamer "Admiral Farragut" | The argument of this cause was commenced by Mr S Boudjoot of counsel for the Appellants.

255½

Proclamation being made, the Court is adjourned until tomorrow morning at eleven o'clk.

Tuesday November 29th 1870.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Nathan Clifford.
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley.
} Associate Justices.

Richard C. Parsons Esquire Marshal.
Daniel Ashley Middleton Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr R. T. Merrick, it is ordered that John A. Foster Esquire of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

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257 Charles Clark and The Buckeye Mutual Insurance Company vs Appellants. The Str. "Adm. Farragut"

The argument of this cause was continued by Mr Proudfoot of counsel for the appellants, by Wm Trumbull of Counsel for the appellee, and concluded by Wm Proudfoot for the appellants.

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260 James F. Pendergast et al vs Appellants. Steamer "Kalorama"

and

261 James F. Pendergast et al vs Appellants. Steamer "General Custer"

The argument of these causes was commenced by Mr J. H. Ham as of counsel for the appellants

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Proclamation being made the Court is adjourned until tomorrow morning at Eleven o'clock.

Wednesday November 30th 1870.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices

Richard C. Parsons Esquire Marshal.
Daniel Worley Middleton Clerk.

Proclamation being made the Court is obtained.

On motion first made to the Court in this behalf by Mr George H. Hixhal it is ordered that John Sergeant Esquire of New York City be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

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260. James F. Pendergast et al. vs. Appellants. Steamer "Kalorama".

and

261 James F. Pendergast et al. vs. Appellants. Steamer "General Custer"

The argument of these causes was ordered by Mr Bryan of counsel for the appellees and concluded by Mr Thomas of counsel for the appellants.

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262. James May vs. Appellant. M. S. Clare et al

Ordered by the Court that this cause be, and the same is hereby, continued to the next term.

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263 James Starr Junior vs. Plaintiff. Geo. A. Thompson et al

Ordered by the Court that this cause be, and the same is hereby continued to the next term.

261	The Aetna Insurance Co. vs. William Kerr ford	Pff. in Error.

This cause was submitted to the consideration of the court on the record & printed argument by Mr Peabody and Mr Stanton of counsel for the plaintiffs in Error, and by Mr Beck of counsel for the defendant in error.

266	John Master et al. vs. Northern Transportation Company et al.	Appellants.

Ordered by the Court that this Cause be, and the same is hereby Continued to the next term.

267	The Balt & Ohio R.R.Co. vs. Supervisors of Marshall Co.	Plaintiffs in Error.

Ordered by the court that this Cause be, and the same is hereby continued to the next term. (per stipulation of counsel on file.)

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268 James Hudson Downey vs. William D. Neill | Pff in error | Ordered by the court that this cause be and the same is hereby continued to the next term.

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269 The Mayor &c of Baltimore vs. The Balt & Ohio R.R. Co. | Pffs. in Error | Ordered by the court that this cause be and the same is hereby continued to the next term (per stipulation of counsel on file.)

Proclamation being made the court is adjourned until tomorrow morning at eleven o'clock

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Thursday December 1st 1870.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Nathan Clifford
Noah H. Swayne — Associate
Samuel F. Miller — Justices
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley

Richard C. Parsons Esquire Marshal.
Daniel Wesley Middleton Clerk

Proclamation being made the Court is opened

United States
270. vs. Appellants.
Steamship City
of Paris &c.
and
The United States
271. vs. Appellants
Steamship "Manhattan" &c.

On motion of Mr Buckley and consent of Mr Solicitor-General Bristow. Ordered by the Court that these cases be continued until

the next term

No other cases ready for argument.

Proclamation being made, the Court is adjourned until tomorrow morning at eleven o'clock

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Friday December 2nd 1870.

Pursuant to adjournment the Court met this morning at the Capitol

Present.

The Honorable Nathan Clifford
Noah H. Swayne
Samuel F. Miller — Associate
David Davis — Justices.
Stephen J. Field
William Strong
Joseph P. Bradley

Richard C. Parsons Esquire Marshal.
David Wesley Middleton Clerk.

Proclamation being made the Court is opened.

No. 1175 — Nelson Graham et al Plaintiffs in error.
vs.
Municipality No. 1 & the Louisiana Slaughter House Co.

No. 1176 — The Crescent City Live Stock Landing & Slaughter House Co. Plaintiffs in error.
vs.
The Municipal City No. 1 & the Louisiana Slaughter House Co.

No. 1177 — Stock Dealers & Butchers Ass. of New Orleans.

477 vs. Plaintiffs in error
The Crescent City L. S. Landing & Slaughter House Co.

Paul Esteben et al Plaintiffs in error
479. vs.
The State of Louisiana ex rel S. Belden, Atty Genl
and
The Butchers Benevolent Assc. of Southern Louisiana
480. vs. Plaintiffs in error.
The Crescent City Live Stock Landing
and Slaughter House Company.

On consideration of the motion
filed in these causes by Mr J. A
Campbell, for supersedeas and in
junction - and of the argument of
Counsel thereupon had as well in
support of, as against the same -
it is now here ordered by the
Court that said motion be, and
the same is hereby denied.
Per Mr Justice Clifford.

Dissenting
Mr Justice Bradley

398	William C. Ray vs Planiff in Error Murray F Smith	The motion to dismiss this writ of error was

argued by Mr F. Phillips in support of the same, and by Mr Pierrepont in opposition thereto. Whereupon this Court not being now here sufficiently advised of, and concerning what order to render in the premises took time to consider.

274	William A. Freeborn et al vs. The Ship Protector et al Appellants	Mr Carlisle & Mr Hunt of coun-

sel for the appellants, having filed and read in open Court a suggestion of a diminution of the record in this cause in the following words and figures to wit. "The total omission and failure of the clerk of the Circuit Court of the United States for the Southern

District of Alabama, to wit the testimony evidence and depositions of the following named witnesses, in behalf of the appellants, and which testimony, evidence, and depositions were used, and relied on by appellants, at the hearing of the said cause, in the said Circuit Court, to wit: John Knight, Augustus F. Berrian, William K. Kinman, Joseph Berry, Rufus H. Wood, Calvin Adams, and George W. Kendall."

By reason of which omissions and errors aforesaid, the said Counsel now here moved the court to award a writ of certiorari, to be directed to the Judges of the Circuit Court of the United States, for the Southern District of Alabama, commanding them that searching the record and proceedings of said court in this cause, they shall certify to this court, under the seal of the said Circuit Court,

whatever omissions and errors shall be found. On consideration whereof, it is now here ordered and adjudged by this Court, that a writ of certiorari be, and the same is hereby awarded to be issued forthwith, and to be directed to the Judges of the said Circuit Court commanding them that searching the record and proceedings aforesaid, they forthwith certify to this Court under the seal of the said Circuit Court whatever omissions and errors shall be found in this cause, and return the same, with the said writ of certiorari forthwith to this Court.

per Mr Justice Clifford.

William A. Tucker et al. Appellants.
vs
The Ship Protector et al.

On consideration of the motion filed in this cause by Mr

Carlisle, and Mr Blount of coun-
sel for the appellants for leave to
take out a commission to retake
the testimony of Joseph Dong-
is now here ordered by the court
that said motion be and the
same is hereby granted.

	The United States	On motion
365	vs. Appellants,	of Mr As-
	John A. Klein admr,	sistant At-
	And	torney Gen-
	The United States.	eral Isaac
1449.	vs. Appellants.	it is now
	Heirs of Juan Bau-	here ordered
	tista Vigil. deceased.	by the court
		that the

motions filed by the Attorney
General in these causes, be, and
the same are hereby continued
to the next term.

1870.	J. H. Morgan et al. vs Appellants John Thornhill et al.	On the motion of Mr Phillips

it is now here ordered by the court that the motions filed in this cause be, and the same are hereby Continued to the next term.

Order

It is now here ordered by the court that all the cases on the docket not decided, and all the other business of the term not disposed of by the court, be, and the same are hereby Continued over to the next term of this court.

Proclamation being made, the Court is adjourned to the time and place appointed by law.

Minutes of the Supreme Court of the United States

December Term 1870.

At the Capitol of the United States, in the City of Washington, and District of Columbia, being the present seat of the National Government of the United States, on the first Monday of December (being the fifth day of the same month) in the year of our Lord One thousand eight hundred & seventy and of the Independence of the United States the ninety-fifth. The Supreme Court of the United States, met agreeably to law.

Present

The Honorable Samuel Nelson
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley.
} Associate Justices.

Richard C. Parsons Esquire Marshal
Daniel Kelley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr J. W. Hurley. it is ordered that William Darlington Esquire of Westchester State of Pennsylvania, Sidney B. Bardsley Esquire of Bridgeport State of Connecticut Nelson Lloyd White Esquire of Danbury State of Connecticut and Morris W. Seymour Esquire of Bridgeport State of Connecticut be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr R. J. Brent it is ordered that Archibald Sterling junior, Robert Lyon Rogers and George C. Maund Esquires of Baltimore State of Maryland be admitted to practice as attor-

neys and Counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Hon Hull St Carpenter it is ordered that Peter Yates Esquire of Milwaukee State of Wisconsin be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

On motion first made to the court in this behalf by Mr James M Carlisle it is ordered that Dirie Bethune Duffield Esquire of Detroit, State of Michigan be admitted to practice as an attorney & counsellor of this court and he was sworn accordingly.

Mr Justice Nelson announced to the Bar that the Court would commence the call of the docket tomorrow under the 25th rule.

Proclamation being made, the Court is adjourned until tomorrow morning at eleven o'clock.

Tuesday December 6th 1870.

Pursuant to adjournment the Court met this morning at the Capitol

Present.

The Honorable Samuel Nelson.
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices.

Richard C. Parsons Esquire Marshal
Daniel Wesley Middleton Clerk.

Proclamation being made, the Court is opened

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32 Thompson Dean vs. Tipelton and Thomas A. Nelson & wife and Ben May.

Appeal from the Circuit Court of the United States, for the Western District of Tennessee.

This cause came on to be heard

on the transcript of the record from the Circuit Court of the United States for the Western District of Tennessee, and was argued by Counsel. On consideration whereof, it is now here ordered adjudged and decreed by this Court, that the decree of the said Circuit Court, in this cause, be, and the same is hereby reversed. And that this cause be, and the same is hereby remanded to the said Circuit Court, with directions that a decree be entered transferring to Miriam H. Nelson, and Benjamin May respectively the stock claimed by them in their bill of complaint, upon payment by the appellees to the appellant of the amount which shall be found due on the said promissory notes given in payment of the stock according to the principles stated in the opinion of this Court. Each party paying their own costs in this Court. Per Mr Jus. Bradley.

39. Stephen M. Jones vs Hitchcock | Appeal from the Circuit Court of the United States for the Western District of Tennessee.

Joseph J. Andrews, for Appellant
Read & H.W. Bryson.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Tennessee, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause be, and the same is hereby reversed, each party paying their own costs in this Court. And that this cause be, and the same is hereby remanded to the said Circuit Court, for further proceedings to be had therein in conformity with the opinion of this Court.

per Mr Justice Thruston

58. William H. Field
Plaintiff in error.
vs.
William M. Farrington,
and Henry B. Howell,
as Farrington & Howell

In error to the Circuit Court of the United States for the Eastern District of Arkansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Arkansas, and was argued by Counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed with costs. - and that this cause be, and the same is hereby remanded to the said Circuit Court with directions to award a venire facias de novo. per Mr justice Strong.

59 E. E. Downham and Henry Green, partners as Downham &c. vs. Plaintiffs in Error, The City Council of Alexandria. | In error to the Fourth Judicial District Court of Virginia

This cause came on to be heard on the transcript of the record from the Fourth Judicial District Court of the State of Virginia, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this court, that the writ of error in this cause be and the same is hereby dismissed with costs. per Mr Justice Field.

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44 Robert S. Stevens vs Plaintiff in error, Victoria Smith. | In error to the Supreme Court of the State of Kansas.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Kansas, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

per Mr Justice Davis.

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45 Robert S. Stevens vs. Plaintiff in error. Pliny De Aubrie. | In error to the Supreme Court of the State of Kansas.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Kansas, and was argued by counsel - On consideration whereof it is now here ordered

and adjudged by this court that the judgment of the said Supreme Court, in this cause be, and the same is hereby affirmed with costs.

per Mr Justice Davis.

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46 Robert S. Stevens vs. Plaintiff in error, Adee Bellemiade

In error to the Supreme Court of the State of Kansas.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Kansas, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

per Mr Justice Davis.

Tuesday December 6th 1870. Continued.

Joseph A. Cooper
3d vol. Plaintiff in error
John Doe, lessee of
Robert S. Reynolds.

In error to
the Circuit
Court of the
United States,
for the East-
ern District of Tennessee.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Tennessee, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said Circuit Court, in this cause be and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court with directions to award a new trial in conformity with the opinion of this court. The Mr. Jus Miller dissenting: Mr. Jus Field.

50 | The United States vs Plaintiffs in error William Hodson, Solomon Hulson, and Thomas Lynch. | In error to the Circuit Court of the United States for the District of Wisconsin.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Wisconsin, and was argued by Counsel. On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed - and that this cause be, and the same is hereby remanded to the Circuit Court of the United States, for the Eastern District of Wisconsin with directions to award a venire facias de novo.

per Mr Justice Swayne.

52 The United States vs. Pltfs. in error
William Hodson,
Solomon Hulson
James Hulson, Charles
H. Hudson & Thomas Lynch
of Wisconsin.

In error to the Circuit Court of the United States for the District

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States, for the District of Wisconsin and was argued by counsel - On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed - and that this cause be, and the same is hereby remanded to the Circuit Court of the United States for the Eastern District of Wisconsin with directions to award a venire facias de novo.

per Mr Justice Swayne.

104	William C. Ray. vs. Off in error. Murray F. Smith.	In error to the District Court of the United States, for the Middle District of Alabama.

This cause came on to be heard on the transcript of the record from the District Court of the United States, for the Middle District of Alabama, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court, that this writ of error be, and the same is hereby dismissed with costs.

Per Mr Justice Clifford.

1	Stephen H. Hurd vs. Edward P. Archbold	Appellant Ordered by the Court that this cause, be, and the same is hereby continued to the next term.

Tuesday December 6th 1870. continued

2. William S. Ward Exr. &c. vs. The United States. Appellant, | The argument of this cause was commenced by Mr J. Ewing junior, of Counsel for the appellant, and continued by Mr Assistant Attorney General Talbot of Counsel for the appellees.

Proclamation being made the Court is adjourned until to-morrow morning at eleven o'clock.

Wednesday December 7th 1870.

Pursuant to adjournment the Court met this morning at the Capitol

Present.

The Honorable Samuel Nelson
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices.

Richard C. Parsons Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf, by Hon J. H. Grinnold, it is ordered that Peter Cantine Esquire of Saugerties, Ulster County, State of New York, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the court in this behalf by Mr T. Ewing jr. it is ordered that Charles B. Collier Esquire of Philadelphia State of Pennsylvania be admitted to practice as an attorney and counsellor of this court & he was sworn accordingly.

On motion first made to the court in this behalf by Hon. T. O. Howe it is ordered that Amasa Cobb Esquire of Mineral Point State of Wisconsin be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

Thompson Dean
39 vs Appellant
Thomas A. Nelson et al.
Stephen N. Jones
39 vs Appellant.
Jos. J. Andrews et al.
William C. Ray
1011 vs Plff in error.
Murray F. Smith.

On the motion of Mr Phillips it is now here ordered by the court that leave be, and the same is hereby granted the clerk to issue the mandates

in these cases during the present term.

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104. William C. Ray vs. Iliff in Error, Murray F. Smith. | Ordered by the Court that the plaintiff in error have leave to withdraw the transcript of the record in this case by leaving with the clerk a receipt for the same.

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227. Frank Trebilcock vs. Iliff in Error, Benjamin Wilson dec | Mr McMurry suggested the death of Frank Trebilcock the plaintiff in error in this cause and moved the Court for leave to enter the appearance of J. D. Trebilcock, administrator of Frank Trebilcock deceased, as the party plaintiff in error in this cause. On consideration whereof, it is now here ordered by the court that the appearance of the said J. D. Trebilcock, administrator, as

aforesaid be entered, and he is hereby made the party plaintiff in error in this cause, with liberty to prosecute this writ of error.

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9 | William E. Hard Exr. &c. vs. The United States. | Appellant | The argument of this cause was concluded by Mr Stanbery of counsel for the appellants.

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11 | B. F. Ridley vs. Pff in error Freeman Shattuck. | In error to the Supreme Court of the State of Tennessee.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Tennessee. On consideration whereof, it is now here ordered & adjudged by this Court that this writ of error be and the same is hereby dismissed with costs.

per Mr Justice Nelson.

Wednesday December 7th 1870. Continued

7.	John Graham vs. Appellant The United States.	Ordered by the court that this cause be, and the same is hereby continued to the next term.

8	Richard C Gray vs. Appellant The Chicago, Iowa & Nebraska R. R. Co.	The argument of this cause was commenced by Mr J. D. Lincoln of Counsel for the appellant.

Proclamation being made, the court is adjourned until tomorrow morning at eleven o'clock.

Thursday December 8th 1870.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Samuel Nelson,
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices.

Richard C. Parsons Esquire Marshal
Daniel Wesley Middleton Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Attorney General Akerman, it is ordered that Kirkpatrick Casey of Washington City District of Columbia be admitted to practice as an attorney and counsellor of this Court, and

he was sworn accordingly.

On motion first made to the court in this behalf by Hon J. P. Stockton, it is ordered that Edward J. Green Esquire of Canton, State of New Jersey be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

On motion first made to the court in this behalf by Mr Aspland Attorney General Talbot, it is ordered that Arnold B. Johnson Esquire of Washington City District of Columbia be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

On motion first made to the court in this behalf by Mr George H. Biddle, it is ordered that John Penn Brock Esquire of Phila-

delphia State of Pennsylvania be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

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8 | Richard C. Gray vs. Appellant The Chicago, Iowa & Nebraska R.R. Co. | The court declined hearing further argument in this Cause.

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11 | John Kimball, admr. vs. Pltff. in Error. John F. Goodrich. | The argument of this cause was commenced by Mr Cushing of counsel for the plaintiff in error, continued by Mr Assistant Attorney General Hill, and Mr Attorney General Akerman of counsel for the defendant in error and concluded by Mr W. E. Chandler of counsel for the plaintiff in error.

Thursday December 8th 1870 continued

12.	Devisee of Mary A. Brobst vs. Pltff in error. John P. Brock et al.	The argument of this cause was commenced by Mr George H. Woodward of counsel for the plaintiff in error.

Proclamation being made the court is adjourned until tomorrow morning at eleven o'clock.

Friday December 9th 1870.

Pursuant to adjournment the court met this morning at the Capitol.

Present.

The Honorable Samuel Nelson
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley

} Associate Justices.

Richard C. Parsons Esquire Marshal.
Daniel Henley Middleton Clerk.

Proclamation being made the court is opened:

On motion first made to the court in this behalf by Hon George H. Woodward it is ordered that Robert N. Bishop Esquire of Paris State of Illinois be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

On motion first made to the court in this behalf by Hon Kenny Stanbery it is ordered that Charles K Rhodes Esqure of Marietta State of Ohio be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

On motion first made to the court in this behalf by Hon Matt H Carpenter it is ordered that Joseph A. Harper Esquire of Chicago State of Illinois be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

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217 The United States vs. Appellants The heirs of Juan Bautista Vigil, deceased. | The argument of the motion to dismiss this appeal was commenced by Mr Wells in support of the same continued by Mr Attorney

Genl Akerman, and Mr Assistant Attorney General Hill in opposition thereto, and contined by Mr T. Ewing junior, in favor of the motion - whereupon this court not being now here sufficiently advised of, and concerning what order to render in the premises took time to consider.

Ex parte James Graham and T. Madison Day. Original. Petitioners.

and

Ex parte Rufus Waples, and C. H. Durbank. Original - Petitioners

On the motion of Mr Cushing it is now here ordered by the Court that the motions in these cases, be, and they are hereby set for argument on Friday next the 16th instant.

Friday December 9th 1870 Continued.

The State of Texas + orig: &s Complainant. Geo. W. Wade. John Chiles et al.	On the motion of Mr Durant it is now here ordered by the Court that the

rule on George W. Stewart to show cause &c be and the same is hereby made absolute, and that an attachment be issued against him as prayed.

The State of Texas + orig: &s Complainant Georg W. Wade, John Chiles et al.	The argument of the motion for a rule on Georg W. Paschal to

show cause &c., was commenced by Mr Riddles in opposition to the rule.

Proclamation being made the Court is adjourned until Monday morning next at eleven oclock

---

Monday December 12th 1870.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Samuel Nelson
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices.

Richard C. Parsons Esquire Marshal
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon L. Trumbull it is ordered that Henry S. Monroe Esquire of Chicago State of Illinois be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Mr Justice Nelson announced to the Bar that the Court would take a recess for two weeks from the 22nd instant to the 5th of January.

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68. Charles Clark, and The Buckeye Mutual Insurance Company. vs. Appellants, The Steamer Admiral Farragut."

Appeal from the Circuit Court of the United States for the Southern District of Illinois

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Illinois and was argued by Counsel - On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause, be, and the same is hereby affirmed with costs.

per Mr. Justice Bradley.

Edward G. Hanrick adm^r of Edward Hanrick, deceased, Plff in Error
vs.
Joseph Ney, Robert Moore, Wm Pierson, Fielding Pope. Deft

In error to the Circuit Court of the United States for the Western District of Texas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Texas and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed with costs - And that this cause be, and the same is hereby remanded to the said Circuit Court with directions to award a venire facias de novo.

per Mr. Justice Davis.

	Enoch T. Masterson, assignee of John K. Kinsdow -	Appeal from the Circuit Court of the United States for the Western District of Texas.
66	vs. Appellants	
	Sidney E. Howard, Richard A. Howard, Russell Howard, Thomas H. Bennell, Caroline K. Bennell, E. H. Lombard, Julia A. Lombard, and Mehitabel Howard.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Texas, and was argued by counsel On consideration whereof, it is now here ordered by this court that this appeal be, and the same is hereby dismissed with costs.

Per Mr Justice Miller.

50.	The Philadelphia, Wilmington & Balt R. R. Co. vs. Piff in Error. Isaac R. Trimble, and Wm & Trimble his exrs. and Georgiana Reesman.	In error to the Circuit Court of the United States for the District of Maryland.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maryland, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this court, that the judgment of the said Circuit Court, in this cause be and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the courts of the State of Maryland

per Mr Justice Swayne.

Dissenting Mr Jus Bradley.

Monday December 12th 1870. Continued.

James F. Pendergast, Charles H. Pendergast, and Henry A. Fenwick vs The owner & claimant of the Steamer Katorama	70	Appeal from the Circuit Court of the United States for the District of Maryland.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States, for the District of Maryland, and was argued by counsel. On consideration whereof, it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court, in this cause be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court with directions to enter a decree affirming the decree of the district court in this cause.

per Mr Justice Clifford,

James F. Pendergast, Charles H. Pendergast, and Henry A. Jenwick Appellants, vs. The Owner & Claimant of the Steamer "Gen Custer."	Appeal from the Circuit Court of the United States for the District of Maryland.

71.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maryland, and was argued by counsel. On consideration whereof, it is now here ordered adjudged and decreed by this court, that the decree of the said Circuit Court, in this cause be and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court with directions to enter a decree affirming the decree of the district Court in this cause.

per Mr Justice Clifford.

60	The United States vs Appellants. Joseph H. Price	Ordered that this case be be argued on the 5th of January next and that the attention of the counsel in the case be invited to the two following questions:

1st What has been the practical construction of the twenty fifth section of the act of the third of March 1799, and of the subsequent acts of Congress upon the same subject by the accounting officers of the Treasury, and in cases where such claims have been allowed, if any; what have been the items of allowance.

2nd What are the items allowed in this case, on the decree of the Court of Claims, from which this appeal was taken.

217	The United States vs Appellants. Heirs of Vigil. decd	On consideration of the motion filed to dismiss

this appeal, and of the arguments of counsel thereupon had, as well in support of, as against the same, it is now here ordered by the court that said motion, be, and the same is hereby denied.

per Mr Justice Nelson.

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583. The Home Insurance Co of N. York Plaintiff in error, vs. Lyman Kuchberger, Benjamin Kuchberger, & Moses Kuchberger. Defendants in Error,

Mr Trumbull of counsel for the defendants in Error, having filed and read in open court, the following certificate to wit:

Circuit Court of the United States for the Northern District of Illinois. Saturday March 5th A.D. 1870.

Present the Honorable Thomas Drummond Circuit Judge. The Honorable Henry H. Blodgett, District Judge.

Lehman Huchberger,
Benjamin Huchberger,
and Moses Huchberger. } Assumpsit.
vs.
The Home Insurance Co.

Now come the parties by their attorneys, and the motion of the defendant heretofore entered herein for a new trial of this cause coming on to be heard and the defendant failing to press said motion the same is overruled by the court.

It is thereupon considered and adjudged by the court, that the plaintiffs do have and recover of the defendant, the said sum of, five thousand eight hundred and nineteen dollars and sixteen cents, their damages so as aforesaid together with their costs and charges by them about their suit in this behalf expended, amounting to the sum of One hundred & six dollars & twenty cents, that they have execution therefor.

Northern District of Illinois ss
I William H. Bradley
Clerk of the Circuit Court of the
United States for the said district
do hereby certify the above and fore-
going to be a correct & complete
copy of the judgment of said Circuit
Court in said entitled cause of
Lehman Kuchberger et al against
the Home Insurance Company
as the same appear of record in
my custody. - I also further certify
that the said The Home Insurance
Company plaintiff in error in
said entitled cause filed its
supersedeas bond with security
which was approved by the court,
and thereupon duly sued out a
writ of error upon said judgment
to remove said cause to the Su-
preme Court of the United States.

In testimony whereof, I
have hereunto set my hand
and affixed the seal of
said Court at my office

in Chicago in said district this tenth day of December A.D. Eighteen hundred and seventy, and of our independence the ninety-fifth year.

Signed, W. H. Bradley.
Clerk.

and having stated to the court that the plaintiffs in error had altogether failed to file the record of said cause in this court, or in anyway to prosecute said writ of error; now here moved the court in pursuance of the 9th rule of this court, to have this writ of error docketed and dismissed. On consideration whereof, it is now here ordered and adjudged by this court that this writ of error from the Circuit Court of the United States for the Northern District of Illinois, be, and the same is hereby docketed and dismissed with costs. And that this cause be, and the same is hereby remanded to the

said Circuit Court for further proceedings to be had therein in conformity to law and justice the said writ of error notwithstanding.

per Mr Justice Nelson.

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334 Joseph Mulhall vs. Pliff in error, The Merchants and Farmers Savings, Loan and Trust Company.

Mr Trumbull of counsel for the defendant in error having filed a transcript of the record of this cause duly certified by the clerk, under the seal of the Circuit Court of the United States for the District of Wisconsin, and having stated that the plaintiff in error had altogether failed to file the record of said cause in this court or in anyway to prosecute said writ of error, now here moved the court in pursuance of the 9th rule of this court to have this writ of error docketed and dismissed - On consideration whereof it is now here ordered

and adjudged by this court, that this writ of error from the Circuit Court of the United States for the district of Missouri, be, and the same is hereby dismissed with costs - And that this cause be, and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity to law and justice, the said writ of error notwithstanding.

per Mr Justice Nelson.

The United States. vs. Phebe W. Taylor Geo. J. Warren Jr. and Edward Thornton Taylor Exrs of Benjamin Ogle Taylor dcd. 385 Appellants.

Mr J. M Carlisle of Counsel for the appellees, having filed and read in open court the following

certificate to wit:

"In the United States Court of Claims,

Monday December 12th 1870 Continued.

Phebe W. Taylor,
George B. Warren Jr.
and Edward Thornton
Taylor Exrs of Ben-
jamin Ogle Taylor
deceased
} No 3,130

versus

The United States.

I hereby certify that judg-
ment in favor of the above claim-
ants for Eleven thousand three
hundred and seventy nine 31/100
dollars was rendered by said Court
of Claims April 25th 1870. - That
an application for the allowance
of an appeal to the Supreme Court
of the United States in the cause
aforesaid was filed in the Clerks
office of said Court of Claims, 27th
May A. D. 1870 - That thereupon the
Chief Justice of said Court of Claims
made the following order at Cham-
bers 28th May A. D. 1870.

Ordered that the appeal as

prayed in this cause be allowed

Signed / Joseph Casey
Ch. Justice.

Witness my hand and the seal of said Court of Claims this 12th December 1870.

Seal / Signed / John Hamilton
Asst Clk Ct of Claims

and having stated to the Court that the appellants had altogether failed to file the record of said cause, in this Court, or in anyway to prosecute said appeal, now here moved the Court in pursuance of the 9th rule of this Court, to have this appeal docketed and dismissed - On consideration whereof, it is now here ordered adjudged and decreed by this Court that this appeal from the Court of Claims be, and the same is hereby docketed & dismissed. And that this cause be, and the same is hereby remanded to the said Court of Claims, for further pro-

Orders to be had thereon in conformity to law and justice the said appeal notwithstanding.

Per Mr Justice Nelson.

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386. Barbara E. Hume & Eugenia Crosby vs. Appellants. Mary D. Beale Executrix of Robert Beale deceased.

Mr Carlisle of Counsel for the appellees having filed and read in open court the following certificate to wit:

"In the Supreme Court of the District of Columbia December 10th 1870.

Barbara E. Hume and Eugenia Crosby Complainants vs. In Equity No 912 and 918. Mary D. Beale Executrix of Robert Beale deceased defendant.

I Return J. Meigs, Clerk of said Court hereby certify that from the decree of the said Court

in general term, pronounced in the above entitled cause on the 5th fifth day of March 1870, affirming the decree of said Court in special term, dismissing the complainants bill, the said complainants prayed an appeal to the Supreme Court of the United States at the time when the said decree was pronounced, in open court, and the same was then and there allowed.

In witness whereof, I hereunto subscribe my name and affix the seal of said Court, the day and year aforesaid.

Seal

(Signed) R. J. Meigs
Clerk.

And having stated to the Court that the appellants had altogether failed to file the record of said cause in this Court or in any way to prosecute said appeal now here moved the Court in pursuance

of the 9th rule of this court to have this appeal docketed & dismissed. On consideration whereof it is now hereordered adjudged and decreed by this court, that this appeal from the Supreme Court of the District of Columbia, be, and the same is hereby docketed & dismissed with costs. And that this cause be, and the same is hereby remanded to the said Supreme Court for further proceedings to be had therein in conformity to law and justice the said appeal notwithstanding.

per Mr Justice Nelson.

Dixie C. Mary A. Bobst.
12. vs. Plaintiff in error,
John P. Brock et al.

The argument of this cause was continued by Mr Brock and Mr Biddle of counsel for the defendant in error.

Proclamation being made the court is adjourned until tomorrow morning at eleven o'clock.

Tuesday December 15th 1870.

Pursuant to adjournment the court met this morning at the Capitol.

Present.

The Honorable Samuel Nelson
Nathan Clifford
Noah H Swayne
Samuel F Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices.

Richard C Parsons Esquire Marshal.
Daniel Wesley Middleton, Clerk.

Proclamation being made the court is opened.

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12 Lessee of Mary A. Brobst, vs. Plaintiff in Error, John P. Brock et al. | The argument of this cause was continued by Mr Biddle of counsel for the defendant in error and concluded by Mr R. J. Brent of counsel for the plaintiff in error.

Friday December 15th 1871 continued

16	Andrew B. James' Exrs. pl. Plaintiffs in error, vs. Bank of Mobile and	Ordered by the Court that these cases be, and the same are hereby passed
17	Thomas H. Parker. pl. vs. Pltff in Error Geo. Davis.	

for the present.

22.	The Town of Lima pl. Pltff in Error, Charles Corning -	In error to the Circuit Court of the United States,

for the District of Wisconsin

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Wisconsin, and it appearing to the court that this is the second term at which this case has been called for argument and that neither party is now prepared to argue the same, it is considered

by the Court that this cause should be dismissed at the costs of the plaintiffs in error, pursuant to the 10th Rule of this Court. Whereupon it is now here ordered and adjudged by this Court that this writ of error be, and the same is hereby dismissed with costs. And that this cause be, and the same is hereby remanded to the Circuit Court of the United States for the Eastern District of Wisconsin to be proceeded in according to law and justice.

per Mr Justice Nelson.

A. B. Seley, and H. P. Hurwood. vs. R. R. Harrison.	23.	In error to the Circuit Court of the United States for the District of Louisiana.

This cause came on to be heard on the transcript of the record

from the Circuit Court of the United States for the District of Louisiana, and it appearing to this court that this is the second term at which this case has been called for argument, and that neither party is now prepared to argue the same. it is considered by the court that this case should be dismissed at the costs of the plaintiffs in error, pursuant to the 16th rule of this court. Whereupon it is now hereordered and adjudged by this court, that this writ of error be, and the same is hereby dismissed with costs. and that this cause be, and the same is hereby remanded to the said Circuit Court to be proceeded in according to law and justice.

per Mr Justice Nelson.

Tuesday December 13th 1870 continued

25	George F. Kelly vs Complainant The City of Providence And George F. Kelly vs Complainant	Ordered by the Court that these cases be, and the same are hereby continued to the next term of this Court (upon stipulation
26	The Proprietors of Central Bridge.	

of counsel.)

29	James Coddington vs. Piff in Error I. Richardson.	This cause was argued by Mr Irons Counsel for the plaintiff in Error, and submitted on printed argument by Mr D. A. Lamon of counsel for the defendant in Error.

Proclamation being made, the Court is adjourned until tomorrow morning at eleven o'clock.

Wednesday December 14th 1870.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Samuel Nelson
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices.

Richard C. Parsons Esqure Marshal.
Daniel Kisky Middleton Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr Joseph Casey, it is ordered that J. H. Simonton Esqure of Harrisburg State of Pennsylvania be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr E. Stanton

it is ordered that Georg. C. Davenport Esquire of Wheeling State of West Virginia be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.-

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The Steamship Vision Metropolis her tackle &c. Kirwin Benner & Samuel Brown Claimant

vs. Appellants

The Schooner "Mary C Town" Benjamin F. Town et al. Claimants.

Appeal from the Circuit Court of the United States for the District of New York

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of New York, and on the stipulation of counsel on file- it is now here ordered adjudged and decreed by this court that this appeal

be, and the same is hereby dismissed with costs.

per Mr Justice Nelson

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31 | Isaac J Kimball vs Edward A. Saylor et al. | Appellant | The argument of this cause was commenced by Mr Stanton of counsel for the appellant, continued by Mr J. R. Tucker of counsel for the appellee, and concluded by Mr Stanton for the appellant.

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31. | Isaac J Kimball vs Edward A. Saylor, John K Trevere, John C Rathbone et al. | Appellant | Appeal from the District Court of the United States for the District of West Virginia.

This cause came on to be heard on the transcript of the record from the District Court of the

United States, for the District of West Virginia, and was argued by counsel. On consideration whereof, it appearing to this court that this appeal has not been prosecuted, in the manner required, and within the time limited, for filing the transcript in this court, - it is therefore now here ordered adjudged and decreed by this court that this appeal be, and the same is hereby dismissed with costs.

per Mr Justice Nelson.

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31 | Isaac J. Marshall vs Edward A. Taylor et al. | Appellant | Mr Stanton moved the court for leave to withdraw the transcript of the record in this case from the files of the court - On considerations whereof, it is now here ordered by the court, that the appellants have leave to withdraw the

transcript of the record of this case from the files of this court, upon his leaving with the clerk a receipt therefor.

Abner C. and Lewis D. Campbell
vs. Plaintiffs in Error,
William K. Nixon.

The death of Abner C. Campbell one of the

33

plaintiffs in error, in this cause having been suggested, at a prior term of this court, to wit December Term 1859. - it is now here ordered by the court, on the motion of Mr Cowell, that Alexander F. Hume administrator de bonis non of Abner C. Campbell deceased, be entered, and he is hereby made a party plaintiff in error in this cause.

33.	Abner C. and Louis D. Campbell. vs. Williams H Wilcox.	On motion of Mr Slaughter it is ordered that this

cause be passed for the present, and leave is hereby granted counsel to file printed briefs on Friday next.

34.	Lewis Jaspar vs. Plaintiff in Error, John Hardesty et al.	The argument of this cause was commenced by

Mr W. Allen Butler of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Thursday December 15th 1870.

Pursuant to adjournment the court met this morning at the Capitol

Present.

The Honorable Samuel Nelson
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices.

Richard C. Parsons Esquire Marshal.
Daniel Henry Middleton Clerk.

Proclamation being made the court is opened.

On motion first made to the court in this behalf by Hon H. L. Dawes, it is ordered that Marcus P. Knowlton Esquire of Springfield State of Massachusetts, and William L. Stoughton Esquire of Sturgis State of Michigan be admitted to practice as attorneys and counsellors of this court,

and they were sworn accordingly

On motion first made to the court in this behalf by Mr W. L. Hirst. it is ordered that Thomas R. Elcock Esquire of Philadelphia State of Pennsylvania, be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

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11 Aug:	The Commonwealth of Penna. to the use of U.S. Plaintiff	Mr Carpenter filed mandate dismissing cause.
	The Quicksilver Mining Co.	

34	Lewis Tappan U.S. Plff. in Error. John Beardsley et al.	The argument of this cause was continued by Mr T. W. Bartley. Mr W. P. Hanlon and Mr Joseph Casey of counsel for the defendant in error, & by Mr Charles O'Connor of counsel for the plaintiff in error.

Proclamation being made the court is adjourned until tomorrow morning at eleven o'clock.

Friday December 16th 1870

Pursuant to adjournment the court met this morning at the Capitol.

Present.

The Honorable Samuel Nelson.
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices

Richard C. Parsons Esquire Marshal
Daniel Wesley Middleton Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Hon Lyman Trumbull it is ordered that Theodore Bacon Esquire of Rochester State of New York, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the court on this behalf by Mr W. A. Butler, it is ordered that Thomas M. Wheeler Esquire of New York City be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the court on this behalf by Ron C. Cushing, it is ordered that J. Langdon Ward Esquire of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the court on this behalf by Mr Charles O'Conor, it is ordered that Hon John G. Schumaker of Brooklyn State of New York, be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr Assistant Attorney General Talbot, it is ordered that Almon A. Strout Esquire of Portland State of Maine, be admitted to practice as an attorney & counsellor of this Court & he was sworn accordingly.

On motion first made to the court in this behalf by Mr W. W. Boyce, it is ordered that George F. Moore Esquire of Austin State of Texas be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

On motion first made to the court in this behalf by Mr F. Carroll Brewster, it is ordered that Charles H. T. Collis Esquire of Philadelphia State of Pennsylvania be admitted to practice as an attorney & counsellor of this court, and he was sworn accordingly.

Friday December 16th 1870. Continued.

34. Lewis Tappan vs. John Beardsley et al. | The argument of this cause was concluded by Mr Charles O'Conor, of counsel for the plaintiff in error.

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414. L. H. Byrn. admr. of H. H. Byrn. deceased, L. H. Byrn, H. L. Byrn, R. K. Byrn, H. H. Byrn, N. T. Byrn, Lucy Whillow, J. M Whillow, Sarah E Govan & H. H. Govan & Sarah R Byrn. vs. R. J. Monroe. | Appellants, Mr Phillips of counsel for the appellee having filed and read in open court the following certificate to wit:

"United States District Court, Northern District of Mississippi.
June Term 1870.

R. J. Monroe vs. L. H. Byrn, admr of H. H. Byrn et al } In Chancery.

On this the 25th day of June 1870, the petition of H L Byrn administrator of H.W. Byrn deceased, Sarah R. Byrn widow of said decedent and the following named heirs of said H. W. Byrn deceased, viz: L H Byrn, H L Byrn, R. Byrn, Haldman Byrn, William Byrn, Lucy Whillow, and her husband J. M Whillow, Sarah Cowan, and her husband Wm Cowan, Defendants in said suit in equity, was presented praying an appeal to the Supreme Court of the United States from the final decree in said cause made in said court, on the 20th day of June 1870, a former day of the present term of this Court.

And the Court being satisfied from the evidence that the value of the matter in controversy exceeds the sum of five thousand dollars, doth order, and adjudge that said appeal be granted as prayed for.

And it is further ordered

and decreed that upon the said defendant and petitioner N. H. Byrn filing a bond in the penal sum of eighteen hundred dollars payable to the complainant R.J. Monroe conditioned as required by statute and by Rule No 32 adopted by the Supreme Court of the United States at the December Term 1867 with good & sufficient security to be approved by this court that a supersedeas issue as prayed for in said petition.

And the said N. H. Byrn having presented his bond in the sum required and conditioned according to law, with H. H. Byrn, R. K. Byrn, N. T. Byrn, and J. A. Wheeler as his sureties the same is approved by the said Court, and the appeal and supersedeas so prayed for is granted in accordance with the prayer of said petitioner,

Know all men by these presents.

that we L H Byrn, H L. Byrn, R. K. Byrn, N. T. Byrn, and J N. Whitesides are held and firmly bound unto R. J. Monroe, in the penal sum of Eighteen hundred dollars for the payment whereof, we bind ourselves, our heirs, executors administrators and assigns, jointly and severally, firmly by these presents.

Sealed with ourseals and dated this the 20th day of June 1870.

The condition of this obligation is such that whereas in a certain suit in Equity in the District Court of the United States for the Northern District of Mississippi wherein the said R. J. Monroe is complainant and the said L H Byrn administrator of H. H. Byrn deceased and the following named heirs of said H H. Byrn deceased, viz: L H Byrn, H L. Byrn, R K. Byrn, N. T. Byrn, Lucy Whitlow and

J. M. Whitlow her husband, Sarah E. Cowan, and W. H. Cowan her husband, and Sarah R. Byrn the widow of said H. H. Byrn deceased and others defendants, on the 20th day of June 1870, a final decree was entered against the above named defendants. And said defendants having prayed and obtained an appeal from said decree to the Supreme Court of the United States and also a writ of supersedeas to suspend the execution of said decree.

Now if the said appellants shall prosecute their appeal to effect and answer all damages and costs, if they fail to make their plea good; and if they shall further pay such just damages for delay as shall be lawfully adjudged against them and also all costs and interest on said appeal, then this obligation to be void, otherwise

to remain in full force and virtue.

Signed, L. H. Byrn (seal)
(") H. L. Byrn. (seal)
(") R. K. Byrn (seal)
(") N. T. Byrn (seal)
(") J. N. Whitsides (seal)

The above bond and sureties thereto are approved

Signed, R. A. Hill
Judge.

Filed 23 June 1870. J. H. Vair Clerk.

United States of America, Northern District of Mississippi } ss.

I, James H. Vair Clerk of the District Court of the United States for the District aforesaid, hereby certify that the preceding 4 pages numbered 1 2 3 4 contain a full and true transcript of the order of said Court allowing an appeal to the Supreme Court of the United States on the prayer of the defendants in the case of

R. J. Monroe against L. H. Byrn, administrator of H. W. Byrn deceased and others, and of the appeal bond, and the approval thereof by the Judge of said court, filed in said cause by the said defendants on the 23rd day of June A. D. 1870, as fully as the same remain on file and appear of record in my office.

Given under my hand and the seal of said court, at my office in Oxford the 8th day of December A. D. 1870.

Seal

(Signed) J. H. Viser
Clerk.

And having stated to the court that the appellants had altogether failed to file the record of said cause in this court, or in anyway to prosecute said appeal - now here moved the court in pursuance of the 9th rule of this court to have this appeal docketed & dismissed

On consideration whereof, it is now here ordered adjudged and decreed by this court that this appeal from the District Court of the United States for the Northern District of Mississippi be and the same is hereby dismissed with costs. And that this cause be, and the same is hereby remanded to the said District Court for further proceedings to be had therein in conformity to law and justice the said appeal notwithstanding.

per Mr Justice Nelson.

The Balto & Ohio R. R. Co. Plff in Error
114 vs
Supervisors of Marshall Co.
and
The Balto & Ohio R. R. Co.
116 vs Plaintiffs.
The Supervisors of Marshall Co

Mr B. Stanton with the Consent of Mr Latrobe moved the Court that these cases be argued together

and that a day be fixed for the argument of the same. Whereupon this court not being now here sufficiently advised of, and concerning what order to render in the premises took time to consider.

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74. The Aetna Insurance Co. vs. William Kerrysford. | Plaintiff in Error | In error to the District Court of the United States for the District of Missouri

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Missouri and on the stipulation of counsel on file and motion of Mr Dick it is now here ordered & adjudged by this court, that this writ of error be, and the same is hereby dismissed each party paying

his own costs.

per Mr Justice Nelson.

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2 orig: The State of Missouri Complainant vs. The State of Kentucky. | On the motion of Mr Dick with the consent of Mr Stanbery, it is now here ordered by the Court that this cause be, and the same is hereby set for argument on the 24th day of January next.

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377. The Steamtug "R L Maley" John Caldwell Cr &c. Claimant - Appellant vs. Joshua Atkins et al owners of the Ship "Isaac F Chapman". | Mr T. M. Wheeler moved the Court for a Commission to take testimony in this cause Whereupon this Court not being now here sufficiently advised of, and concerning what order to render in

the premises took time to consider.

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33 A. G. and S. D. Campbell vs. William H. Wilcox

Plaintiffs in Error

This cause was submitted to the consideration of the court on the record and printed argument by Mr H. Stanbery of counsel for the plaintiff in error, and by Mr Cornell of counsel for the defendant in error.

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300 J. Sturges et al. vs. Pff. in error. J. H. Draper et al.

On the motion of Mr Solicitor General Bristow it is now here ordered by the court that this cause be, and the same is hereby set for argument on the 3rd Monday of January next, being the 6th day of the same month.

James Buffington, late Collr.
329 vs. Aff. in error.
J. M. Day.

On the motion of the Solicitor General Ordered, it is now here ordered by the Court, that this cause be, and the same is hereby set for argument on the 3rd Monday of January next being the 16th day of the same month.

The United States, Appts. vs. Wm. A. Newman
Same " Chas. A. Manning
Same " " L. D. La Rein
Same " " Chas. F. Holbrook
Same " " Geo. W. Hall
Same " " Thos. E. Lytle
Same " " John Bohn
Same " " Thos. A. Fitzpatrick
Same " " Geo. G. Richards.

Mr Davis of counsel for the appellees moved the Court that the appeals in these cases be docketed and dismissed pursuant to the

9th rule of this Court, which motion was opposed by Mr Asst. Attorney General Talbot of counsel for the appellants. Whereupon this Court not being now here sufficiently advised of, and concerning what order to render in the premises took time to consider.

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168 | George Alexander vs. Jacinto Rodrigues et al. | Appellant | Mr Crittenden having filed and read in

open Court a suggestion of a diminution of the record in this cause in the words and figures following, to wit:

"The omission of the Clerk to copy and return certain exhibits which were filed among the proceedings in the Court below and which said exhibits are particularly described in the affidavit of Edgar H. Steele filed herewith

and made part hereof, to wit:

No 1. Opinion of Commissioner of General Land Office. Record page 49.

2. Decision of the Secretary of the Interior. Record page 49.

11 Deed of Jose Ygracio Villa to Rodrigues 51.

5 Letter of " " 79.

6 " " Antonio Villa 79

7 " " James McKinney 82

9 " " Rafaelo Villa 88.

F. Tax Receipts. Record Page 81

A. J.C.V.
C. J.C.V.
E. J.C.V.
D. J.C.V.
K. J.C.V.
} Letters of James Vannes, pp. 184-190.

I. J.C.V. Letter of Ramon Antonio Villa. Record page 232.

that it appears by pages 49-51-79-82-88-184-190 and 232. of the printed record that said exhibits were filed, and your petitioners are advised and maintain

that they are a material part of the record."

By reason of which omissions aforesaid, the said counsel now here moved the Court to award a writ of certiorari, to be directed to the Judges of the Circuit Court of the United States for the District of California, commanding them that searching the record and proceedings of said Court in this cause, they shall certify to this Court under the seal of the said Circuit Court, whatever omissions shall be found. On consideration whereof, it is now here ordered adjudged and decreed by this Court that a writ of certiorari be, and the same is hereby awarded to be issued forthwith and to be directed to the Judges of the said Circuit Court commanding them that searching the record and proceedings aforesaid they forthwith certify to this Court, under

the seal of the said Circuit Court, whatever omissions shall be found in this cause, and return the same with the said writ of certiorari forthwith to this court

Per Mr Justice Nelson

The State of Texas
4 Orig. vs. Complainant
George H. Thile et ab.

The argument of the motion for a rule on George W. Paschal to show cause &c. was continued by Mr T. J. Durant in favor of the same, & concluded by Mr Riddle in opposition to the motion.

Proclamation being made, the Court is adjourned until Monday morning next at eleven o'clock.

Monday December 19th 1870

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Samuel Nelson
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices

Richard C. Parsons Esquire Marshal
Daniel Henry Middleton, Clerk

Proclamation being made the Court is opened

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42 The Rutland Marble Co
vs. Appellant
Dyer G. Ripley & Wm F. Barnes.
and
43 William G. Ripley
vs. Appellant
The Rutland Marble Co

Appeals from the Circuit Court of the United States for the District

of Vermont.

These causes came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Vermont, and were argued by counsel. On consideration whereof, it is now here ordered adjudged and decreed by this court that the decree of the said Circuit Court in this cause be, and the same is hereby reversed each party paying one half of the costs in this court. - And it is further ordered that this cause be, and the same is hereby remanded to the said Circuit Court with directions to enter a decree in conformity with the opinion of this court.

Per Mr Justice Strong.

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11. John Kimball, admr. of John M. Gilmore, deceased. v. S. Pitt, in Error. John F. Goodrich. | In error to the Circuit Court of the Uni-

ted States for the District of Massachusetts.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States, for the District of Massachusetts, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said Circuit Court, in this cause be, and the same is hereby affirmed with costs.

per Mr Justice Clifford.

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8. Richard C Gray vs. The Chicago, Iowa & Nebraska R.R. Co. F. Kirby, W. S. Pope, & E. B. Talcott. | Appeal from, the Circuit Court of the United States for the District of Iowa.

This cause came on to be heard on the transcript of the record

from the Circuit Court of the United States for the District of Iowa, and was argued by Counsel. On consideration whereof, it is now here ordered adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

per Mr Justice Nelson.

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377 The Steamtug "R L Maben" John Cuthwell Excr &c. Clnt. Appellant, vs. Joshua Atkins et al, owners of the Ship "Isaac F. Chapman" | On consideration of the motion filed in this cause by Mr T. M. Wheeler, for a commission to take testimony &c, it is now here ordered by the Court that said motion be, and the same is hereby denied.

Monday December 19th 1870. Continued

United States, Appls. vs Wm. A. Newman.
Same " " Chas. N. Manning
Same " " Lorenzo D. Larkin
Same " " Chas. F. Holbrook.
Same " " Geo. H. Hall
Same " " Thos. E. Sybe
Same " " John Cohn
Same " " Thos. A. Fitzpatrick
Same " " Geo. G. Richards

On consideration of the motion filed by Mr Daniels to docket and dismiss these appeals, it is now here ordered by the Court that said motion be, and the same is hereby denied.)

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49 The Balto & Ohio R.R. Co. vs. Plff: in Error, Supervisors of Marshall Co.
and
76. The Balto & Ohio R.R. Co. vs. Plaintiffs Supervisors of Marshall Co.

(On consideration of the motion filed by Mr Stanton, it is now here ordered by the Court, that these

cases be argued together & assigned for argument, on the 2nd Monday of January next.

1120. The United States vs. Isaac Pemheimer et al. Appellants.

Mr Taylor of counsel for the appellees having filed and read in open court the following certificate to wit:

"This is to certify that judgment was rendered in the Court of Claims in favor of the Claimants aforesaid February 21st 1870, in the sum of One hundred and Eighty-six thousand and ninety-two dollars and thirty-six cents. ($186,092 36/100.

That an application for the allowance of an appeal to the Supreme Court of the United States was filed by counsel for defendants in the Clerks office of said Court of Claims March 28th 1870.

That an order allowing an appeal

in said cause as prayed, was made by the court. March 28. 1870.

Test: (Sgd) John Randolph
Asst Clerk, Court of Claims

And having stated to the court that the appellants had altogether failed to file the record of said cause in this court or in anyway to prosecute said appeal now here moved the court in pursuance of the 9th rule of this court to have this appeal docketed and dismissed. On consideration whereof, it is now here ordered adjudged and decreed by this court that this appeal from the Court of Claims, be, and the same is hereby docketed and dismissed. And that this cause be, and the same is hereby remanded to the said Court of Claims for further proceedings to be had therein in conformity to law and justice the said appeal notwithstanding.

per Mr Justice Nelson,

Monday December 19th 1870 Continued

420.	The United States. vs. Isaac Bernheimer dal.	Appellants.	On motion of Mr Taylor leave granted the clerk to issue the mandate in this cause at the present term.

421.	Thomas Sayles vs. Chas H Hapgood, Wm S. Young, and George H Laughton.	Appellant,	Mr Carpenter of counsel for the appellees having filed and read in open court the following certificate, to wit:

"Circuit Court of the United States for the Northern District of Illinois. Sitting in Chancery. Tuesday, September 28th A.D. 1869.

Present, The Honorable Thomas Drummond. Judge.

Monday December 19th 1870 Continued

Thomas Sayles
vs.
Chas H. Hapgood,
Wm B. Young, &
Geo. H. Laughlow. } In Chancery.

The court having considered and being now sufficiently advised upon the matters heretofore submitted herein, orders that the Bill be dismissed at the costs of the complainants. It is thereupon considered and adjudged by the Court, that the defendants do have and recover of the complainant their costs and charges by them about their defence in this behalf expended amounting to the sum of two hundred and eight dollars and sixty cents and that they have execution therefor. And thereupon the complainant by his solicitor prays an appeal to the Supreme Court.

Northern District of Illinois ss.
I William H. Bradley,

Clerk of the Circuit Court of the United States for said District do hereby certify that the said Thomas Sayles, plaintiff in error in said entitled cause, duly prayed an appeal from said decree to the Supreme Court of the United States, and filed his Supersedeas Bond, which was approved by the Court, and said appeal allowed October 7th A.D. 1869.

In testimony whereof I have hereunto set my hand, and affixed the seal of said Circuit Court at my office in the City of Chicago in said District this 9th day of December A.D. Eighteen hundred and seventy, and of our independence the ninety fifth year.

Seal.

W. K. Bradley
Clerk"

And having stated to the Court that the appellant had altogether

failed to file the record of said cause in this court, or in anyway to prosecute said appeal. Now here moved the court in pursuance of the 9th rule of this court, to have this appeal docketed and dismissed. On consideration whereof, it is now here ordered adjudged and decreed by this court that this appeal from the Circuit Court of the United States for the Northern District of Illinois be, and the same is hereby docketed and dismissed with costs and that this cause be, and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity to law and justice the said appeal notwithstanding.

per Mr Justice Nelson

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4 orig: The State of Texas vs. Geo. W. White et al.

Complainant

The motion for an order on John Chiles was argued

by Mr Durand in support of the same, and by Mr Hughes in opposition thereto. Whereupon this Court not being now here sufficiently advised of, and concerning what order to render in the premises took time to consider.

The State of Texas (Consols) Complainant
vs.
Geo. Stubbs Exrs et al. Defendants

The motion for a rule on George W. Paschal to show cause why his appearance should not be stricken from the docket in this cause, was argued by Mr Durand in support of the same and by Mr Riddle and Mr Paschal in opposition thereto. Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

Monday December 19th 1870. Continued.

Ex parte James Graham and L. Madison Day.
9 Orig'l . . . Petitioners
and
Ex parte Rufus Waples & E. H. Burbank.
10 Original . . Petitioners

The argument of the motion for a prohibition in these causes, was commenced by Mr Durant of counsel for the petitioners.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Tuesday December 20th 1870.

Pursuant to adjournment, the Court met this morning at the Capitol.

Present.

The Honorable Samuel Nelson
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley,
} Associate Justices.

Richard C. Parsons Esquire, Marshal.
Daniel Ashley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court on this behalf by Mr James M Carlisle it is ordered that C Frederick Mawbey Esquire of Jacksonville, State of Florida be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The New England Mutual Marine Insurance Company 354 vs Appellants Thomas Dunham	This cause was submitted to the consideration of the court, on the record and printed argument by Mr H. C. Hutchins of counsel for the appellants and by Mr F. C. Loring for the appellee, under the 20th rule of this court.

Ex parte, James Graham and L. Madison Day. 9 Original - Petitioners and Ex parte, Rufus Waples and C. W. Burbank. 10 original - Petitioners	The argument of the motions for writs of prohibition in these cases, was continued by Mr Cushing in opposition thereto, and concluded by Mr Durant in favor of the same. Whereupon this court not being now here sufficiently ad-

vised of and concerning what order to render in the premises took time to consider.

	A. B. Wood	In error to the
36	vs. Plff. in error.	Circuit Court
	DeForrest Richards	of the United
		States for the

Southern District of Alabama.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Alabama and on the stipulation of Counsel on file, and motion of Mr Phillips, it is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed. each party paying his own costs in this Court. And that this cause be, and the same is hereby remanded to the said Circuit Court. per Mr Jus. Nelson

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40 The Steamer "Cotton Plant"
David C. Laws et al. Claimts.
vs. Appellants.
The United States. -

The argument of this cause was commenced by Mr T. K. Elcock of counsel for the appellants. continued by Mr Assistant Attorney General Hill and Mr Ashton of counsel for the appellees. and concluded by Mr Hirst of counsel for the appellants.

Proclamation being made, the Court is adjourned until tomorrow morning at eleven o'clock.

Wednesday December 21st 1870.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Samuel Nelson,
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong &
Joseph P. Bradley.
} Associate Justices.

Richard C. Parsons Esquire Marshal
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon Luke P. Poland, it is ordered that Hon Orange Ferries of Glens Falls State of New York, be admitted to practice as an attorney and Counsellor of this Court, and he was sworn accordingly.

51	R. V. Yates vs Appellant. City of Milwaukee Lee et al.	The argument of this cause was commenced by Mr Carpenter of counsel for the appellant. Continued by Mr E. G. Ryan of counsel for the appellees, and concluded by Mr Carpenter for the appellant.

41	V. P. Corbett vs. Pltff. in error W. D. Nott. Bisbee et al.	This cause was argued by Mr Carlisle, and Mr McPherson of counsel for the defendants in error, and submitted on printed argument by Mr Brent and Mr Hall of counsel for the plaintiff in error.

47	George Thorpenning vs. Appellant The United States	On motion of Mr Hughes with consent of Mr Asst. Attorney General Talbot, it is now

here ordered by the court that this cause be and the same is hereby continued to the next term.

A. C. Ducat		This cause was
148 vs.	Piff in Error.	submitted to the
The City of Chicago		consideration of
		the Court on

the record and printed argument by Mr S. H. Fuller of counsel for the plaintiff in error, and by Mr M. F. Tuley for the defendant in error.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Thursday December 22nd A.D. 1870.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Samuel Nelson
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley.
} Associate Justices.

Richard C. Parsons Esquire Marshal
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened

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437 John Allman
vs. Appellant
Chas. C. Huntley,
Robert P. Dodge,
Geo. F. McLellan,
Carlisle Doble, and
Charles A. Ruffee

Mr Nathaniel Wilson of counsel, for the appellees having filed, and read in open Court the following certificate to wit:

"Clerks Office Supreme Court of the District of Columbia.

Washington December 16. 1870.

John Allman
vs.
Charles C. Huntley,
Robert P Dodge, Ges.
F McClellan Carlisle
Doble & C. A. Ruffe.

No 1077.
Equity Doc. 8
Sup Court
Dist of Col.

I Return J Meigs, Clerk of the Supreme Court of the District of Columbia do hereby certify that on the first day of October 1870. the complainant in the above stated cause, prayed an appeal from a decree of said Court sitting in Banc on said 1st day of October 1870. passed to the Supreme Court of the United States which was allowed.

Seal

Witness my hand and the seal of said Court December 16th 1870.

R. J. Meigs, Clerk &c.
by R. J. Meigs Jr.
Asst. Clerk.

and having ruled to the court that the appellant had allegation failed to file the record of said cause in this court, or in any way to prosecute said appeal, now here moved the court in pursuance of the 9th rule of this court to have this appeal docketed and dismissed - On consideration whereof it is now here ordered, adjudged & decreed by this court that this appeal from the Supreme Court of the District of Columbia be, and the same is hereby docketed and dismissed with costs. And that this cause be and the same is hereby remanded to the said Supreme Court for further proceedings to be had therein in conformity to law & justice the said appeal notwithstanding. per Mr Justice Davis.

Proclamation being made the court is adjourned until Thursday the 5th day of January A.D. 1871 at eleven o'clk

Thursday January 5th 1871.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Samuel Nelson
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices

Richard C. Parsons Esquire Marshal.
Daniel Tesley Middleton Clerk.

Proclamation being made the Court was opened.

The Commonwealth of Virginia.
Complainant.
3 — Orig'l vs
The State of West Virginia.

Mr Faulkner (by Mr Phillips) moved the Court for leave to appear as additional Counsel on the argument of this cause on behalf of the Counties of Berkley,

and Jefferson and to be allowed the usual time allotted Counsel under the rules Whereupon this Court not being now here sufficiently advised of, and concerning what order to render in the premises took time to consider.

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156. The United States vs. Appellants John A Klein surviving adm'r &c. | On motion of Mr Assistant Attorney General Talbot leave granted him to file the supplemental findings agreed by the parties and adopted by the Court of Claims, as an addition to the record in this cause.

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611. The United States vs. Appellants Joseph H. Price | This cause having been assigned for argument on this day, but Counsel not being prepared to proceed with same was on the motion of Mr Assist-

ant Attorney General Talbot
passed for the present.

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5 The Balto & Ohio R.R. Co. vs. Pltf. in Error
John C Harris, admr. | The question which the Court has decided to be re argued in this case is. Whether the acts of Congress, and the statutes of West Virginia, relating to "The Baltimore and Ohio Railroad Company" create a new & distinct corporation under that name in the said State and the District of Columbia respectively - or whether they are only enabling acts in respect the corporation under that name, created by the State of Maryland.

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55 E. H. Edmonson Appellant
vs
Adam Bloomsdale
et al. | The argument of this cause was commenced by Mr H. Stanberry of

Counsel for the abbellant, and continued by Mr Robinson and Mr Laurence of counsel for the appellees.

Proclamation being made, the Court is adjourned until tomorrow Morning at eleven o'clock

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Friday January 6th 1871.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Samuel Nelson
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis,
Stephen J. Field
William Strong &
Joseph P. Bradley } Associate Justices.

Richard C. Parsons Esquire Marshal.
Daniel Henry Middleton Clerk.

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Hon William Lawrence it is ordered that Byron Sherry Esquire of Leavenworth State of Kansas, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the court in this behalf, by Hon W. M. Evans, it is ordered that W. J. A. Fuller Esquire of New York City, be admitted to practice as an attorney and Counsellor of this court, and he was sworn accordingly.

On motion first made to the court in this behalf, by Mr James M. Carlisle, it is ordered that Cleveland F. Moulton Esquire, of Mobile State of Alabama, be admitted to practice as an attorney and Counsellor of this court, and he was sworn accordingly.

467	Nicholas Drummond vs Elizabeth Drummond	Plaintiff in error / Mr Thomas Wilson of Counsel for the

defendant in error, having filed and read in open court, the following certificate to wit:

"In the Supreme Court of the District of Columbia.

Elizabeth Drummond
vs Plaintiff
Nicholas Drummond
defendant.
} At Law
No 5,587.

I R J. Meigs Clerk of said Court hereby certify that in the above entitled cause a judgment was rendered in favor of the plaintiff and against the defendant, on the 27th day of October A.D 1870, and that the defendant on the 7th day of October A.D. 1870, filed his bond and sued out a writ of error to the Supreme Court of the United States, and that a transcript of the record was completed and delivered to the attorney for the defendant and plaintiff in error, on or about the 5th day of December 1870

seal

R J. Meigs Clk
by L. P. Williams
Asst. Clerk.

and having stated to the court that the plaintiff in error had altogether failed to file the record of said cause in this court or in anyway to prosecute said writ of error. now here moved the court in pursuance of the 9th rule of this court to have this writ of error docketed and dismissed - On consideration whereof, it is now here ordered and adjudged by this court, that this writ of error from the Supreme Court of the District of Columbia, be, and the same is hereby docketed and dismissed with costs - And that this cause be, and the same is hereby remanded to the said Supreme Court for further proceedings to be had therein in conformity to law and justice the said writ of error notwithstanding.

per Mr Justice Nelson.

P. A. Morgan et al Commissioners of Bank of Louisiana.

The motion to dismiss this appeal for the want of jurisdiction, and the motion for a supersedeas in this cause, was argued by Mr Cushing in favor of the motion to dismiss, and in opposition to the motion for a supersedeas, and by Mr Evarts, and Mr Phillips in opposition to the motion to dismiss, and in favor of the motion for a supersedeas.

Proclamation being made the Court is adjourned until Monday morning next at eleven o'clock.

Monday January 9th 1871 Continued

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Samuel Nelson
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices.

Richard C. Parsons Esquire Marshal
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr J. Hubley Ashton, it is ordered that Edmund Fitch Esquire of New York City be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the court in this behalf, by Hon J. A. Garfield it is ordered that Hon Lionel A. Sheldon of New Orleans State of Louisiana be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

The Steamer Calvo Claud Duval C. Lewis & Michael McMahon.

110 vs Appellants

The United States.

Appeal from the District Court of the United States, for the Eastern District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Eastern District of Pennsylvania, and was argued by counsel. On consideration whereof it is now here ordered, adjudged

and decreed by this court, that the decree of the said District Court in this cause be, and the same is hereby reversed. And that this cause be, and the same is hereby remanded to the said District Court for further proceedings to be had therein in conformity with the opinion of this court.

per Mr Justice Strong.

Alexander F. Keene admr &c. of H. C. Campbell, deceased, & Lewis D. Campbell. vs. Plaintiffs in error
William H. Wilcox.

In error to the Circuit Court of the United States for the Southern District of Ohio.

33

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Ohio, and was argued by counsel. On consideration whereof,

it is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs and damages at the rate of ten per centum per annum, and that this cause be, and the same is hereby remanded to the said Circuit Court.

per Mr Justice Field.

W. P. Cordell 111 &c. Appellants in err W. S. Mull, Imag &c.	In error to the Supreme Court of Appeals of the State of Virginia.

This cause came on to be heard on the transcript of the record from the Supreme Court of Appeals of the State of Virginia, and was argued by Counsel. On consideration whereof, it is now here ordered & adjudged by this Court, that the judgment of the said Supreme Court of Appeals in this cause be, and

the same is hereby affirmed with costs. per Mr Justice Field.

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34. Lewis Tappan vs. Tiffin Error johnson and Horace Beardsley. | In error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States, for the Southern District of New York, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this court, that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court, with directions to award a new trial in conformity

with the opinion of this Court.

per Mr Justice Miller.

Ex parte James Graham, & L. Madison Day. Original - Petitioners. | On consideration of the motion filed by Mr Durant for a writ of prohibition in this cause and of the argument of counsel thereupon had as well in support of, as against the same, it is now here ordered by the Court that said motion be and the same is hereby denied - and that the rule to show cause heretofore issued in this cause, be, and the same is hereby discharged

per Mr Justice Swayne.

Ex parte Rufus Waples, and C. W. Burbank Original - Petitioners | On consideration of the motion filed by Mr Durant for a writ of prohibition in this

cause, and of the argument of counsel thereupon had, as well in support of, as against the same, it is now here ordered by the Court that said motion be, and the same is hereby denied. And that the rule to show cause heretofore issued, in this cause, be, and the same is hereby discharged.

per Mr Justice Swayne.

William H. Seymour and D. L. Morgan.		Appeal from the Circuit Court of the United States for the Northern District of New York.
65	vs. Appellants	
D. McC. & John H. Osborne, Survivors.		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of New York, and was argued by counsel. On Consideration whereof, it is now

here ordered adjudged and decreed by this Court, that the decree of the said Circuit Court, in this cause be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity with the opinion of this Court.

Per Mr Justice Clifford.

James Coddington
24 vs Ryff in error
Lyman Richardson.

In error to the Circuit Court of the United States for the Southern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Illinois, and was argued by Counsel. On consideration whereof, it is now here ordered and adjudged by

this court, that the judgment of the said Circuit Court, in this cause, be, and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Illinois.

per Mr Justice Nelson.

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118 Arthur C. Ducat Plaintiff in Error, vs. The City of Chicago. In error to the Supreme Court of the State of Illinois.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Illinois and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this court, that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

per Mr Justice Nelson.

The State of Texas
vs
Compliainant
Geo. W. Wiley, Jno Childs et al.

On consideration of the motion filed in this cause by Mr J. Durant for a rule on John Childs, and of the argument of counsel thereupon had, as well in support of, as against the same, it is now here ordered by the Court that said motion be, and the same is hereby denied.

per Mr Justice Nelson.

The Commonwealth of Virginia.
vs. Complainant,
The State of West Virginia.

On consideration of the motion of Mr Phillips, on behalf of Mr Faulkner, for leave to him to appear as additional counsel in the argument of this cause, on behalf of the counties of Berkley and Jefferson, and to be allowed the usual time allotted counsel under the rules, it is

now here ordered by the court that said motion be, and the same is hereby granted.

per Mr Justice Nelson.

	The Home Insurance Co.	Mr Cooper
383.	vs Plaintiff in error	one of our
	Lehman Kuchberger,	counsel for the
	Benjamin Kuchberger,	plaintiff,
	& Moses Kuchberger.	in error

having suggested to the court that the plaintiffs in error were prepared to file the record, and have the case docketed pursuant to the rules of this court, moved the court to rescind and annul the judgment of this court, entered on the 12th of December 1870, docketing, and dismissing this writ of error, which motion was opposed by Mr Trumbull - On consideration whereof it is now here ordered by this court that the judgment of the 12th of December last, docket-

ding and dismissing this writ of error be, and the same is hereby rescinded and annulled & that the plaintiffs in error have leave to file this case, and have the same docketed in conformity to the rules of this court, upon payment of costs.

Per Mr Justice Nelson.

3821 Joseph Mitchell & al. Pff. in error. vs. The Merchants and Farmers Savings, Loan & Trust Comp'y.

Mr Peck of Counsel for the plaintiff in error having suggested to the Court that the plaintiff in error was prepared to file the record, and have the case docketed pursuant to the rules of this court Moved the Court to rescind and annul the judgment of this court entered on the 12th of December 1870, docketing and dismissing this writ of error, which motion was opposed by Mr

Trumbull. On consideration whereof, it is now here ordered by this Court that the judgment of the 12th of December last, declaring and denying this writ of error, be, & the same is hereby reversed and annulled and that the plaintiff, in error have leave to file this case and have the same docketed, in conformity to the rules of this Court, upon payment of costs.

per Mr Justice Nelson.

---

49. The Baltimore & Ohio Railroad Company. vs. Pltf. in Error
The Supervisors of Marshall County, and Jackson Reed Sheriff of said County. | In error, to the Supreme Court of Appeals of the State of West Virginia

This cause came on to be heard on the transcript of the record from the Supreme Court of Appeals of the State of West Virginia, and

on the motion of Mr Sabrobe of Counsel for the plaintiff in error, it is now here ordered, adjudged and decreed by this Court, that the writ of error in this cause, be, and the same is hereby, dismissed with costs.

per Mr Justice Nelson.

The Baltimore Ohio Railroad Company, Plaintiffs in Error
vs
Supervisors of Marshall Co.

On a certificate of division in opinion between the Judges of the Circuit Court of the United States for the District of West Virginia.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of West Virginia, and on the points or questions on which the Judges of the said Circuit Court were opposed in opinion, and which

was certified to this court for its opinion agreeably to the act of Congress in such case made & provided, and on the motion of Mr Latrobe of counsel for the complainants, it is now here ordered and adjudged by this Court, that this cause, be, and the same is hereby dismissed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court with directions to dismiss the bill at the costs of the complainants.

per Mr Justice Nelson.

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55 | E. H. Edmonson vs Adam Bloomshire et al. | Appellant | The argument of this cause was continued by Mr Lawrence of counsel for the appellees.

Proclamation being made, the Court is adjourned until tomorrow morning at eleven o'clock.

Tuesday January 10th 1871.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Samuel Nelson
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices.

Richard C. Parsons Esquire Marshal.
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf, by Hon S. F. Curtis, it was ordered that Gustavus A. Somerby Esquire of Boston State of Massachusetts, be admitted to practice as an attorney & counsellor of this Court and he was sworn accordingly.

On motion first made to the court in this behalf by Mr C. F. Peck. It is ordered that Albon Mann Esquire of New York City be admitted to practice as an attorney and Counsellor of this court, and he was sworn accordingly.

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157. The United States vs Appellant John Silvey. | Mr Peck moved the court to remand the record in this case to the Court of Claims, for additional findings of the Court to be added thereto - Whereupon this court not being now here sufficiently advised of, and concerning what order to render in the premises took time to consider.

---

172 The United States vs. Appellant Thomas G. W. Crussell. | Mr Peck moved the Court to remand the record in this cause to the Court

of Claims for additional findings of the Court to be added thereto - Whereupon this Court not being now here sufficiently advised of, and concerning what order to render in the premises took time to consider.

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55. S. H. Edmonson vs. Appellant / Adam Bloomshire et al. | The argument of this cause was concluded by Mr Stanbery of counsel for the Appellant.

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329. James Buffington late Collector of Internal Revenue. vs. Plff in Error / Joseph A. Day. | On the motion of Mr Assistant Attorney General Hill, it is now here ordered by the Court that this case be assigned for argument on the fourth Wednesday of January, instead of the third Monday as heretofore ordered.

61.	Franklin McVeigh vs. Plff. in error A.H. Heald Collector of Internal Revenue.	Ordered by the Court that these cases be passed for the present with leave to submit the same on briefs or printed argument with Rule No 10 and 11 to be filed within the first 60 days of this term. pursuant to rule No 20.
62.	and Franklin McVeigh vs. Plff. in error August Newhaus, Collector of Internal Revenue	

63.	Geo. Crompton vs. Appellant The Belknap Mills	Appeal from the Circuit Court of the United States for the District

of New Hampshire

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States, for the District of New Hampshire and on the stipulation of counsel

on file, it is now here ordered adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed each party paying their own costs in this Court.

per Mr Justice Nelson.

The Liverpool London & Globe Ins. Co. Plff in Error
vs
Henry K. Oliver

The argument of this cause was commenced by Mr J. G. Abbott of counsel for the plaintiff in error, continued by Mr Charles Allen of Counsel for the defendant in error and by Mr B. R. Curtis for the plaintiff in error.

Proclamation being made the Court adjourned until tomorrow morning at eleven o'clock.

Wednesday January 11th 1871

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Samuel Nelson
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices

Richard C. Parsons Esquire, Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

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64 The Liverpool & London Life & Fire Insurance Co vs Henry K. Oliver. Plaintiff in error

The argument of this cause was concluded by Mr Curtis of counsel for the plaintiff in error.

69	Simon Wing Appellant vs. C.C. Schoonmaker	The argument of this cause was commenced by Mr Smith of Counsel for the appellant and continued by Mr Baldwin of counsel for the appellee.

Proclamation being made, the Court is adjourned until tomorrow morning at Eleven o'clock.

Thursday January 12th 1871.

Pursuant to adjournment the court met this morning at the Capitol.

Present.

The Honorable Samuel Nelson
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices.

Richard C. Parsons Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the court is opened.

On motion first made to the court in this behalf by Hon Eugene Casserly, it is ordered that Hon. Thomas F. Bayard of Wilmington State of Delaware, be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

69 Simon Ving vs. C. C. Schoonmaker. Appellant.

The argument of this cause was continued by Mr H. Baldwin of counsel for the appellee, & concluded by Mr Smith of counsel for the appellants.

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72. James May vs. W. Lebaron et al. Appellant.

The argument of this cause was commenced by Mr Wills of counsel for the appellant and continued by Mr J. N. Rogers of counsel for the appellees. (Mr justice Miller did not sit in the argument of this case.)

Proclamation being made, the Court is adjourned until tomorrow morning at eleven o'clock.

Friday January 13th 1871.

Pursuant to adjournment the court met this morning at the Capitol

Present

The Honorable Samuel Nelson
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices

Richard C Parsons Esquire, Marshal.
Daniel Wesley Middleton, Clerk.

Proclamation being made the court is opened.

On motion first made to the court on this behalf by Mr P. Phillips, it is ordered that Thomas Hunton Esquire of New Orleans, State of Louisiana be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

136. The Mayor &c of Mobile vs. William E Severich et al. | Plaintiffs in error | On motion of Mr Carlisle it is ordered by the court that the argument of the motion to dismiss this cause be, and the same is hereby postponed until Friday next the 20th instant.

1119 B. F. Messenger et al vs. Charles Mason. | Plffs. in Error. | On the motion of Mr Wells it is ordered by the court that the argument of the motion to dismiss this cause be, and the same is hereby postponed until Friday next the 20th instant.

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207 Gustavus E. Hausknecht vs. Norton F. Claypool. | Plff in Error. | The motion to dismiss this cause was argued by Mr Stanbery in support of the motion.

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207. Gustavus L. Kaufknecht vs. Norton F. Claypool | Plaintiff in error. | In error to the Circuit Court of the United States for the Southern District of Ohio.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Ohio, and on the motion of Mr Stanbery to dismiss this cause was argued by counsel. On consideration whereof it is now here ordered adjudged by this court that this cause, &c, and the same is hereby dismissed for want of jurisdiction.

per Mr Justice Nelson.

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157. The United States vs John Seley. | Appellant. | On consideration of the motions filed in this cause by Mr Peck of counsel for the

appellee and Mr Assistant Attorney General Talbot of counsel for the appellant, and with the consent of counsel for the respective parties, it is now here ordered by the Court that the transcript of the record in this cause be, and the same is hereby remanded to the Court of Claims with directions to that Court to amend its finding of facts, in the following particulars. Viz:

1st Whether at the time the Seminole Cotton was shipped from Atlanta, an effort was made to procure a receipt from Captain Cade, and what excuse if any, was shown by the claimant for not procuring such receipt.

2nd Whether Captain S B Brown A.Q.M. was in charge of the military transportation, and whether said Brown turned over to C. A. Fuller the Treasury agent

at Nashville about 1352 bales, besides a large quantity of loose cotton reported as coming from Atlanta, Chattanooga, and points beyond Chattanooga.

3rd. Whether the cotton seized at Atlanta were not generally described in the reports of Mr Fuller as coming from Chattanooga or Georgia.

4th Whether the cotton received by Mr Fuller at Nashville were forwarded to Mr Mellen the treasury agent at Cincinnati, and sold by him, and the proceeds paid into the Treasury?

5th. Whether the cotton so alleged to have been turned over by Brown to Fuller, could be identified as the property of any individual?

6th Whether the accounts of Captain Hude show that about the time or soon after the shipment of this cotton he took up on his accounts and transferred to

Captain Brown 63,713 lbs. or about 230 bales of Cotton as captured or abandoned, and which is not identified as the property of any individual

7th. Whether Cotton bearing the same mark that this Cotton had when it left Atlanta, viz: "John Sidney" was not sold by Mr Mellen in Cincinnati in December 1864.

8th Whether Captain Wade had not left Atlanta before the Cotton alleged to belong to the appellee was delivered at the depot in the said city, and whether he returned thither again before this Cotton was shipped thence.

9th Whether any Cotton coming from Atlanta, was in this case shown to have been sold, and its proceeds paid into the treasury, other than Cotton forwarded by Captain Wade, and mentioned in his accounts.

And if the said Court of Claims shall find that cotton marked "John Silvey" was sold by W. P. Nelson, in Cincinnati, in December 1864 then that the said Court certify to this Court the extract from the depositions of W. Drake, set forth in the conclusion of the motion of the appellee. and also certify whether or not there is any other evidence of a sale, by the United States of cotton marked "John Silvey" and claimed in this case.

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173. The United States, Appellants, vs Thomas G. W. Cromell. | On consideration of the motion filed in this cause by Mr Peck of counsel for the appellee, with the consent of Mr Assistant Attorney General Talbot of counsel for the appellants, it is now here ordered by the Court that the transcript of the record in this cause be, and

the same is hereby remanded to the Court of Claims with directions to amend the finding of facts by certifying whether the said appellees always bore true allegiance to the Government of the United States, and ever gave aid or comfort to the rebellion or those engaged therein.

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72. James May vs. Appellant
M. St Clare et al.

The argument of this cause was continued by Mr Rogers and Mr Carpenter of counsel for the appellees, and by Mr J. A. Wills for the appellant.

Proclamation being made the Court was adjourned until Monday morning next at eleven o'clock.

Monday January 16th 1871.

Pursuant to adjournment the court met this morning at the Capitol

Present.

The Honorable Samuel Nelson
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices

Richard C. Parsons Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made, the court is opened.

On motion first made to the court in this behalf by Hon S. F. Poland it is ordered that Hon Albert G. Burr of Carrollton and Hon John M. Crebs of Carmi State of Illinois be admitted to practice as attorneys & counsellors of this court, and they were sworn accordingly.

On motion first made to the court in this behalf by Hon James Grant, it is ordered that C Whitaker Esquire of Davenport, and Galusha Parsons Esquire of Fort Dodge State of Iowa, be admitted to practice as attorneys & counsellors of this court and they were sworn accordingly.

On motion first made to the court on this behalf by Mr Solicitor General Bristow, it is ordered that Thomas W. Bullitt Esquire of Louisville State of Kentucky, be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

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51. Kenosha V. Yates et al. Appellants vs. The City of Milwaukee & Alex. Miller. | Appeal from the Circuit Court of the United States for the District of Wisconsin

Monday January 16th 1871 Continued

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Wisconsin, and was argued by counsel. On consideration whereof, it is now here ordered adjudged and decreed by this court that the decree of the said Circuit Court in this cause be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the Circuit Court of the United States for the Eastern District of Wisconsin, with instructions to enter a decree enjoining the defendants below from interfering with plaintiffs wharf, reserving however the right of the city to remove or change it, so far as may be necessary in the actual improvement of the navigability of the river, and upon due compensation made.

per Mr Justice Miller

83	William A. Freeborn et al vs. The Ship Protector et al.	Appellants.	On motion of Mr Carlisle which was opposed by Mr Phillips it is now here ordered by the Court that the amended return of the Clerk of the Circuit Court to the writ of certiorari in this cause be, and the same is hereby allowed to be filed, and made part of the return to said writ of certiorari.

83	William A. Freeborn et al vs. The Ship "Protector" et al.	Appellants	It is now here ordered by the Court that this cause be, and the same is hereby set down for argument on Monday the 20th day of February 1871. pursuant to stipulation of counsel filed this day.

72.	James May vs Appellant M. LeClure et al.	The argument of this cause was concluded by Mr Wells of counsel for the appellant.

300	Jonathan Sturges et al vs. Piffs in Error. John H. Draper et al.	The argument of this cause was commenced by Mr George T Curtis of counsel for the plaintiff in error, continued by Mr Solicitor General Bristow, and Mr Attorney General Akerman of counsel for the defendants in error, and concluded by Mr Curtis for the plaintiffs in error.

Monday January 16th 1871. continued

Barque "Maria Martin"
John Martin et al.
Claimants.
75. vs. Appellants.
The Northern Transportation Co. et ab.

for the appellants.

The argument of this cause was commenced by Mr George B. Hibbard of counsel

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Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Tuesday January 17th 1871.

Pursuant to adjournment the court met this morning at the Capitol.

Present.

The Honorable Samuel Nelson
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices

Richard C. Parsons Esquire, Marshal
Daniel Wesley Middleton Clerk.

Proclamation being made the court is opened.

On motion first made to the court in this behalf by Mr George B. Hibbard, it is ordered that Lyman K. Bass Esquire of Buffalo State of New York, be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

1871 Joseph Schlaucher vs. William P. Wilson | Appellant | Wm. M. H. Johnson of Counsel for the appellee having filed and read in open Court the following certificate to wit:

"William P. Wilson vs. Joseph Schlaucher & John M. Eichberg } No 13. Injunction Bill.

I, Thos. J. Mitchell Clerk of the United States Circuit Court, for the District of West Tennessee, do hereby certify that on the 7th day of January 1869 the same being one of the days of the December Term 1868, of said Circuit Court, there was a final decree entered in the above stated Cause" from which decree the defendant Schlaucher prayed an appeal to the next term of the Supreme Court of the United

States which appeal was granted by the court. all of which appears of record in my office.

Witness my hand and the seal of said Circuit Court, this 1st day of December A. D. 1870.

Seal.

A. S. Mitchell
Clerk.

And having stated to the Court that the appellant had allowed or failed to file the record of said cause in this Court, or in anyway to prosecute said appeal now here moved the Court, in pursuance of the 6th rule of this Court to have this appeal docketed and dismissed. On consideration whereof, it is now here ordered adjudged and decreed by this Court that this appeal from the Circuit Court of the United States for the District of West Tennessee be, and the same is hereby docketed and dismissed with costs. And that

this cause be, and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity to law and justice the said appeal notwithstanding. per Mr Justice Nelson.

Bergue "Maria Martin" John Martin et al Claims. vs. The Northern Transportation Company et al. Appellants.

75.

The argument of this cause was continued by Mr Hubbard for the appellants and by Mr R P Spalding of counsel for the appellees.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Wednesday January 18th 1871

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Samuel Nelson
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices.

Richard C. Parsons Esquire Marshal
Samuel Wesley Middleton Clerk.

Proclamation being made, the Court is opened.

The Washington & Georgetown Railroad Company vs. Plffs in Error.
188. Oliver Gladmon, by his next friend Burgess K. Gladmon.

Mr N. T. Merrick of Counsel for the defendant in error

having filed and read in open

court the following certificate to wit:

"In the Supreme Court of the District of Columbia.

Saturday May 2. 1870.

Session resumed, pursuant to adjournment, present, Chief Justice Carter, and Justices Cox and Wylie.

Oliver Hudmon, by his next friend Burgess K. Hudmon. vs. Thos. Plunkett. The Washington and Georgetown Railroad Company - defendant. } At Law. No. 5,533.

And now again come here as well the plaintiff as the defendant, by their respective attorneys, and thereupon because it seems to the court here that neither in the record and proceedings aforesaid, nor in giving the judgment afore-

said, is there error, it is considered that the said judgment be, and the same is hereby in all things affirmed and that the plaintiff recover against the defendant the costs by him about his suit in this Court expended and that he have execution thereof and of the judgment of the said Circuit Court.

I certify that the foregoing is truly copied from the minutes of the Supreme Court of the District of Columbia in General Term.

And I further certify that from this judgment, the defendant caused a writ of error from the Supreme Court of the United States to the said Supreme Court of the District of Columbia to be issued, and that the same was issued on the 16th of May 1878 commanding said last mentioned court to certify the record into said Supreme Court of the United States

that the plaintiff was duly cited thereon to appear in said last mentioned court at the December Term thereof 1870 and that a copy of said writ of error was lodged in the clerks of said Supreme Court of the District of Columbia for the said plaintiff (defendant in error) and that the said plaintiff in error duly executed a bond to prosecute the same, on the said 20th day of May 1870

Given under my hand and the seal of said court, the 17th day of January 1871.

Seal

R. J. Meigs
Clerk

And having stated to the court that the plaintiff in error had altogether failed to file the record of said cause in this court, or in anyway to prosecute said writ of error now here moved the court in pursuance of the 9th rule of

this court to have this writ of error docketed and dismissed On consideration whereof, it is now here ordered and adjudged by this court that this writ of error from the Supreme Court of the District of Columbia be, and the same is hereby docketed and dismissed with costs - And that this cause be, and the same is hereby remanded to the said Supreme Court for further proceedings to be had therein in conformity to law and justice the said writ of error notwithstanding.

per Mr Justice Nelson.

Barque "Maria Martin"
John Martin et al -
Claimants -
vs. Appellants
The Northern Transportation Company et al

The argument of this cause was concluded by Mr Hibbard of counsel for the appellants.

73.	James Starr Junior. Pl'ff. vs. George A. Thompson et al.	This cause was argued by Mr M. H. Carpenter of counsel for the plaintiff. No counsel appearing for the defendant.

77	James Madison Downey Pl'ff. in error. vs. William D. Null.	The argument of this cause was commenced by Mr W. Willoughby of counsel for the plaintiff in error.

Proclamation being made, the Court is adjourned until tomorrow morning at eleven o'clock.

Thursday January 19th 1871

Pursuant to adjournment the court met this morning at the Capitol.

Present.

The Honorable Samuel Nelson
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices

Richard C Parsons Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the court is opened.

On motion first made to the court in this behalf, by Mr Edward Lander it is ordered that J. E. Wyche Esquire of Olympia Washington Territory be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

On motion first made to the court in this behalf by Hon S Trumbull, it is ordered that A. M. Woolfolk Esquire of Helena City, Montana Territory, be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

The Steamer "Cotton Plant" vs. David O Lum & Michael McMahon - Claimants. Appellants. The United States

On the motion of Mr Murphy and consent of Mr Solicitor General Bristow, it is now here ordered by the court that leave be, and the same is hereby granted the Clerk to issue the mandate in this cause.

110

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79. The United States vs. Appellants The Steamship "City of Paris" her engines &c. The Liverpool, New York, and Phila S.S. Compy. owners, & James Kennedy Master

Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and on the motion of Mr Attorney General Akerman, it is now here ordered adjudged and decreed by this Court, that this appeal be, and the same is hereby dismissed.

per Mr Justice Nelson.

	The United States	Appeal from the
80.	vs Appellants	Circuit Court of the
	The Steamship "Manhattan" her engines &c	United States for the Southern
	The Lee & Gt Western Steam Company. Claimants.	District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and on the motion of Mr Attorney General Akerman, it is now here ordered adjudged and decreed by this court, that this appeal be, and the same is hereby dismissed.

per Mr Justice Nelson

	The United States	On motion of
66.	vs Appellants	Mr Assistant
	Joseph N. Price	Attorney General
		Talbot it is now

here ordered by the court that this cause be set down for argument, immediately after the argument of No 78.

Thursday January 19th 1871. Continued.

77. James Madison Downey Pltff in error. vs William D. Null. | The argument of this cause was continued by Mr R. T. Merrick of counsel for the defendant in error, and concluded by Mr Wil Coughby of counsel for the plaintiff in error.

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78. The Mayor & City Council of Baltimore. Pltff. in Error & S. The Balto & Ohio R. R. Co. | The argument of this cause was commenced by Mr Chandler of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Friday January 20th 1871.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Samuel Nelson
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices

Richard C. Parsons Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court on this behalf by Hon Cornelius Cole it is ordered that Oscar H. La Grange Esquire of Oakland State of California, be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

136	The Mayor, Aldermen and Common Council of Mobile vs. Pltffs in error W. E. Severich et al	Ordered by the Court that the argument of the motion filed by Mr Phillips to dismiss this cause be postponed until Friday next the 27th instant.

1188	The Washington & Georgetown Railroad Company vs. Plaintiff in error, Oliver Gladmon by his next friend Burgess K. Gladmon.	Mr Carrington of counsel for the plaintiff in error, filed motion to rescind and annul the order of dismissal entered in this cause on the 15th instant, and for leave to docket the case which motion was set for argument on Friday next the 27th instant.

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11 Orig.	The Comwth of Pennsylvania vs. The Quicksilver Mining Co.	Complainant	The argument of the motion

Ordered that this case was commenced by Mr M. H. Carpenter in support of the same, continued by Mr F. Carroll Brewster in opposition thereto, and concluded by Mr M. H. Carpenter in favor of the motion

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Two hundred & Seven half pound papers Smoking Tobacco. E. C. Boudinot et al Claimants - Appellants

253 vs

The United States.

The United States

156. vs. Appellants.

John A. Klein, Surv. Collr &c.

and

John F. Pargoud

203 vs. Appellant

The United States.

On the motion of Mr Attorney General Akerman, it is now here ordered by the Court that these cases be assigned for argument on the 2nd Monday of March, being the 13th day of the same month.

149	B. F. Messenger et al. vs. Piff. in error Charles Mason.	The argument of the motion to dismiss this writ of

error, was commenced by Mr Mason the defendant in error in support of the same, continued by Mr Wills in opposition thereto, and concluded by Mr Mason in behalf of the motion.

344	Pinckney C. Bethel vs. Piff, in error, E. A. Demarel et al.	The motion to dismiss this writ of error was

submitted to the consideration of the Court on printed briefs by Mr M. Taylor of counsel for the plaintiff in error and by Mr Campbell for the defendant in error.

Friday January 20th 1871 continued

The Mayor and City Council of Baltimore. vs. The Balto & Ohio R.R. Co. | The argument of this cause was continued by Mr Chandler of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until Monday morning next at eleven o'clock.

Monday January 23rd 1871.

Pursuant to adjournment the court met this morning at the Capitol

Present.

The Honorable Samuel Nelson
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices.

Richard C. Parsons Esquire Marshal
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

The State of Texas Complainant
vs.
Geo. W. White John Chiles et al.

On consideration of the motion filed in this cause by Mr Durant for a rule on George W. Paschal, requiring him to show cause why certain moneys, should not be

turned into the hands of the clerk of this Court - and of the argument of counsel thereupon had, as well in support of, as against the same it is now here ordered by the Court that said motion be, and the same is hereby denied - And that the rule nisi heretofore issued in this cause, be, and the same is hereby discharged.

Per Mr Justice Bradley.

The State of Texas Complainant. vs. Jo. Pabody's Exrs et al.

On consideration of the motion filed in this cause by Mr Durant for a rule on George W Paschal requiring him to show cause why his name should not be stricken from the docket as counsel for the complainant, in this cause, and of the argument of counsel thereupon had, as well in support of as against the same, it is now here ordered by the Court that

said motion be, and the same is hereby granted. And that the rule nisi heretofore issued in this cause, be and the same is hereby made absolute

per Mr Justice Bradley.

The Steamer "Daniel Ball" Byron D. Ball, and Jesse Gano. Claimants. Appellants vs The United States. Appeal from the Circuit Court of the United States for the Western District of Michigan

57.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Michigan, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged & decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed.

per Mr Justice Field.

54.	George M. Barnard vs. Piff. in error. C. A. Kellogg, A. Dunham, A. C. Dunham, Grayton Killyer and J. B. Bunce.	In error to the Circuit Court of the United States for the District of Connecticut.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Connecticut and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this court, that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court, with directions to award a venire facias de novo.

per Mr Justice Davis.

Dissenting.
Mr Justice Strong
" Bradley.

	The Mississippi and Missouri R. R. Co. Clark Durant et al. vs. Plffs. in error. Amanda M. McClure Exx of L. F. Sherman Exor of N. McClure decd. and of J. Mather et al.	In error to the Supreme Court of the State of Iowa.
38.		

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Iowa and was argued by counsel. On consideration whereof, it is now here ordered, adjudged and decreed by this court, that the writ of error in this cause be, and the same is hereby dismissed for the want of jurisdiction

per Mr Justice Swayne.

	Elizabeth W. Edmondson James N. Waddell et al. vs. Appellants Adam Blomshire et al.	Appeal from the Circuit Court of
55.		

the United States, for the Southern District of Ohio.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States, for the Southern District of Ohio, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged and decreed by this court, that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

per Mr Justice Clifford.

The Commonwealth of Pennsylvania, Complainant
vs
The Quicksilver Mining Company

On consideration of the motion filed by Mr Carpenter of counsel for the defendants to dismiss this cause, and of the argument of counsel thereupon

had, as well in support of, as against the same, it is now here ordered by the court, that said motion be, and the same is hereby granted.

Per Mr Justice Nelson.

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35. Louis Kanauer vs. Iliff in error / Alden M Woodruff. | On a certificate of division in opinion between the Judges of the Circuit Court of the United States for the Eastern District of Arkansas

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Arkansas, and on the points or questions on which the Judges of the said Circuit Court were opposed in opinion, and which were certified to this court for its opinion agreeably to the act of Congress in such case made and provided, and was

argued by counsel. On consideration whereof, the Court being equally divided in opinion on the questions certified - it is thereupon now here ordered adjudged and decreed by this Court, that this cause be, and the same is hereby dismissed. And that this cause be, and the same is hereby remanded to the said Circuit Court, with directions to proceed therewith in conformity to law and the rules of proceeding in such cases provided.

per Mr Justice Nelson

Proclamation being made, the Court is adjourned until tomorrow morning at eleven o'clock.

Tuesday January 24th 1871.

Pursuant to adjournment the court met this morning at the Capitol

Present:

The Honorable Samuel Nelson
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices.

Richard C. Parsons Esquire Marshal
David Wesley Middleton Clerk.

Proclamation being made the court is opened.

On motion first made to the court in this behalf by Mr J. J. Durant, it is ordered that Richard DeGray Esquire of New Orleans, State of Louisiana be admitted to practice as an attorney & counsellor of this court, and he was sworn accordingly.

On motion first made to the court in this behalf, by Hon Henry Stanbery, it is ordered that M. W. Oliver Esquire of Cincinnati, State of Ohio, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

The Mayor & City Council of Baltimore vs. Jeff. in Error
The Balto & Ohio Railroad Company.

The argument of this cause was continued by Mr Latrobe of counsel for the defendant in error

Continued by Mr Norris of counsel for the Jeff. in error.

The United States vs. Appellants
Joseph H. Price

The argument of this cause was commenced by Mr Asst Attorney Genl Talbot of counsel for the appellants,

And continued by Mr Chipman of counsel for the appellee.

Proclamation being made the court is adjourned until tomorrow morning at eleven o'clock.

Wednesday January 25th 1871.

Pursuant to adjournment the court met this morning at the Capitol.

Present.

The Honorable Samuel Nelson
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley.

} Associate Justices

Richard C. Parsons Esquire Marshal.
Daniel Wesley Middleton, Clerk.

Proclamation being made the court is opened.

On motion first made to the court in this behalf by Mr. Attorney General Akerman, it is ordered that John Codman Ropes Esquire of Boston State of Massachusetts be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

On motion first made to the court in this behalf, by Mr N. P. Chipman it is ordered that J. M^cC. Perkins Esquire of Washington City, District of Columbia, be admitted to practice as an attorney & counsellor of this court, and he was sworn accordingly.

On motion first made to the court in this behalf by Hon W. C. Kerr, it is ordered that George W. Johnston Esquire of Greenville State of North Carolina, be admitted to practice as an attorney & counsellor of this court, and he was sworn accordingly.

On motion first made to the court in this behalf by Mr James Grant, it is ordered that Seward B. Brown Esquire of Jamestown State of New York be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

James E. Fairchild
William Harries and
Joseph R. Hutson
193 vs Plffs. in error.
The United States.

The Solicitor
General Bris
tow of counsel
for the defend-
ants in error
having filed
and read in open court, the fol
lowing certificate to wit:

"In the Circuit Court of the United
States for the Southern District of
Ohio

The United States of America. vs. James E. Fairchild, William Harries & Joseph R. Hutson } In Debt.

The United States of America
Southern District of Ohio } ss.

I, John McLean, Clerk of the Circuit
Court of the United States, within and
for the 6th Circuit and Southern Dis-
trict of Ohio, hereby certify that on
the 21st day of June, in the year of

our Lord one thousand eight hundred and sixty nine an action of debt was brought in said court by Warren M. Bateman, Esquire attorney of the United States, within and for the Southern District of Ohio, in the above stated case on behalf of said United States plaintiffs against the said James E. Fairchild, William Harries, and Joseph R. Hutson, defendants, which said action was founded on a claimants bond for $21,000 given by James E. Fairchild as principal & said William Harries and Joseph R. Hutson, as sureties conditioned to abide the judgment and decree of the District Court of the United States within and for the Southern District of Ohio, in a cause entitled The United States vs. 103 Barrels of Whiskey and other property" which said conditions it was alleged were broken. That at the October Term of said Circuit Court to wit: on the 5th day of January A.D. 1870, a judg-

ment was rendered by default in favor of the said United States for the sum of nine thousand, and nineteen and 71/100 dollars damages, and one hundred and eighty six 38/100 dollars interest together with their costs in that behalf expended, taxed at $ to which judgment the defendants by their attorneys excepted. Whereupon and writ of error was issued returnable to the Supreme Court of the United States of America at its next term to be holden on the 1st Monday of December A.D. 1870 and a bond duly executed was given whereby said writ operated, that a citation was duly issued on the seventeenth day of January A.D. 1870, and served upon Turner M. Bateman Esquire of the United States for said District on the 21st day of January A.D. 1870. as appears by the return of the Marshal, and that a copy of the writ of error and a copy

of the citation with the error endorsed thereon, were filed with the papers of said case, in said Circuit Court. I further certify that no transcript of the record has been taken out from said court.

In testimony whereof, I have hereunto set my hand and affixed the seal of said court, at Cincinnati this 17th day of January A.D. 1871. and in 95th year of the Independence of the United States of America. Attest: John McLean Clerk."

Seal

and having stated to the court that the plaintiffs in error, had altogether failed to file the record of said cause in this court, or in anyway to prosecute said writ of error, now here moved the court, in pursuance of the 9th rule of this court to have this writ of error, docketed and dismissed. On consideration

whereof it is now here ordered and adjudged by this Court that this writ of error from the Circuit Court of the United States for the Southern District of Ohio be, and the same is hereby dockted and dismissed And that this cause be and the same is hereby remanded to the said Circuit Court for further proceedings to be had, therein in conformity to law and justice the said writ of error, notwithstanding.

per Mr Justice Nelson.

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60. The United States Appellant vs. Joseph W. Price

The argument of this cause was continued, by Mr Chipman and Mr Durant of counsel for the appellee, and concluded by Mr Solicitor General Bristow of Counsel for the appellant

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Wednesday January 25th 1871 Continued

The State of Missouri
Dwgt. vs. Complainant
The State of Kentucky.

The argument of this cause was commenced by Mr McBlair of counsel for the complainant

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Proclamation being made the court is adjourned until tomorrow morning at eleven oclock

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Thursday January 26th 1871

Pursuant to adjournment the court met this morning at the Capitol.

Present.

The Honorable Samuel Nelson
Nathan Clifford
Noah H. Swayne
Samuel F. Miller — Associate
David Davis — Justices.
Stephen J. Field
William Strong
Joseph P. Bradley

Richard C. Parsons Esquire, Marshal
Daniel Wesley Middleton Clerk

Proclamation being made the court is opened.

On motion first made to the court in this behalf by Mr. P. Phillips it is ordered that Duncan F. Campbell Esquire of New Orleans State of Louisiana, be admitted to practice as an attorney and Counsellor of this court and he was sworn accordingly.

On motion first made to the court, in this behalf, by Mr Edward Sanders, it is ordered that James Kennedy Esquire of Walla Walla and Hon. Selucius Garfielde of Olympia Washington Territory, be admitted to practice as attorneys and Counsellors of this court, and they were sworn accordingly.

On motion first made to the court in this behalf by Hon K. Stanbery, it is ordered that Hiram C. Johns Esquire of Williamsport State of Pennsylvania be admitted to practice as an attorney & counsellor of this court and he was sworn accordingly.

The State of Missouri		The argument of
2 cases	Complainant	this cause was con-
The State of Kentucky		tinued by Mr McBlair
		of counsel for the Compl't

Proclamation being made the court is adjourned until tomorrow morning at eleven o'clock.

Friday January 27th 1871

Pursuant to adjournment the court met this morning at the Capitol

Present

The Honorable Samuel Nelson
Nathan Clifford
Noah H. Swayne
Samuel F. Miller — Associate
David Davis — Justices
Stephen J. Field
William Strong
Joseph P. Bradley

Richard C. Parsons Esquire Marshal.
Daniel Wesley Middleton Clerk

Proclamation being made the court is opened.

On motion first made to the court on this behalf, by Mr R. T. Merrick it is ordered that A. M. Senn Esquire, of Chicago State of Illinois be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

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83. William A. Fredbond et al vs The Ship "Protector" &c. Appellants. | The argument of the motion to dismiss the appeal in this cause was commenced by Mr P. Phillips, in support of the same, continued by Mr Blount in opposition thereto, and concluded by Mr Phillips in behalf of the motion.

1188. The Washington and Georgetown Railroad Co. vs. Pltffs in error. Oliver Gladmon by his next friend Burgess K. Gladmon. | The motion to rescind and annul the order of dismissal entered in this case on the 15th instant, and for leave to docket said cause was argued by Mr Carlisle in support of the same, and by Mr Merrick in opposition thereto. On consideration whereof, it is now here

ordered by the Court, that said motion be, and the same is hereby granted upon payment of costs by the plaintiff in error.

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461 United States. Plaintiff v. Jas. De Peter
462 " " " " " "
463 " " " H. S. Scott.
464 " " " Jas. McDaiman
465. " " " Jos. H. Handlow.

Mr Attorney General Akerman moved the Court to advance these cases on the docket, and fix a day certain for the argument of the same. Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

285.	Joseph P. Stewart vs The National Union Bank of Maryland, The Mechanics Bank of Balto. L. P. Bayne et al.	Appellant	Appeal from the Circuit Court of the United States for the District

of Maryland.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maryland, and on the stipulation of counsel for the respective parties on file, and motion of Mr Crittenden of counsel for the appellant it is now here ordered adjudged and decreed by this court, that this appeal be, and the same is hereby dismissed with costs.

per Mr Justice Nelson.

The State of Missouri Complainant.
vs.
The State of Kentucky.

The argument of this cause was continued by Mr Garret Davis of counsel for the respondent.

Proclamation being made the court is adjourned until Monday morning next at eleven o'clock

Monday January 30th 1871.

Pursuant to adjournment, the court met this morning at the Capitol.

Present.

The Honorable Samuel Nelson
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices.

Richard C. Parsons Esquire Marshal.
David Wesley Middleton Clerk.

Proclamation being made the court is opened.

On motion first made to the court in this behalf by Hon Henry Stanbery, it is ordered that Joseph Bell Esquire of New York City, be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

On motion first made to the court in this behalf, by Mr Assistant Attorney General Hill, it is ordered that George D. Noyes Esquire of Boston State of Massachusetts be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

12	John Doe, Lessee of Mary A. Brodst. vs. Richard Roe, with notice to John P. Brodhead, Samuel Grant, Alfred R. Bennett, Hiram Fisher, Jacob Steinhelberl, John Davis, William Goff, Christian Reiley, Augustus Clauser Andrew Pickell, Emanuel Bast, Elizabeth Shuey, Michael Dolphin, Chas Hans, and Richard George.	In error to the Circuit Court of the United States for the Eastern District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsyl-

vania, and was argued by counsel.
On consideration whereof, it is now
here ordered and adjudged by this
Court, that the judgment of the said
Circuit Court, in this cause, be, and
the same is hereby affirmed with costs.
per Mr Justice Strong.

The Merchants National Bank of Boston. Plaintiff in error.
vs.
The State National Bank of Boston

In error to the Circuit Court of the United States for the District of Massachusetts

27

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and was argued by counsel
On consideration whereof, it is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed with

costs and that this cause be, and the same is hereby remanded to the said Circuit Court, with directions to award a venire facias de novo.

Dissenting: Mr Justice Swayne.
Mr Justice Clifford
" " Davis.

B. S. Messenger E. J. Messenger, and James May.
1110 vs Plaintiffs in error.
Charles A Mason.

In error to the Supreme Court of the State of Iowa.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Iowa, and on the motion of Mr Mason to dismiss the writ of error was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court, that the writ of error in this cause be, and the same is hereby dismissed for the want of jurisdiction.

Per Mr Justice Nelson.

William A. Faulborn et al.
as W. A. Faulborn & Company.
83. vs. Appellants
The Ship "Protector" &c. James
& Bell Claimant.

Appeal from the Circuit Court of the United States, for the Southern District of Alabama

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Alabama, and on the motion of Mr Phillips to dismiss the appeal, was argued by counsel. On consideration whereof, it is now here ordered, adjudged and decreed by this court that this appeal be, and the same is hereby dismissed for the want of jurisdiction.

Per Mr Justice Nelson

Dissenting:
Mr Justice Swayne
" " Bradley

Courtney C. Bethell.
3111 vs. Piff. in error
Elizabeth A. Dennett, widow of Joseph T. Hawkins deceased & natural tutrix of the minors Martin D. Henry, Mary J. & Edward Hawkins, the legal representatives of the said Joseph T. Hawkins, deceased.

In error to the Supreme Court of the State of Louisiana.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana, and on the motion of Mr Campbell to dismiss this writ of error, was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this court that the writ of error in this cause, be, and the same is hereby dismissed for the want of jurisdiction.

per Mr Justice Nelson

60 | The United States vs Joseph W. Price | Appellants. | Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims and was argued by Counsel. On consideration whereof, the Court being equally divided in Opinion it is now here ordered adjudged and decreed by this Court, that the decree of the said Court of Claims in this cause be, and the same is hereby affirmed.

By a divided Court.

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77 | James Madison Downey vs. William D. Nutt | Pff. in error. | In error to the Supreme Court of Appeals of the State of Virginia.

This cause came on to be heard on the transcript of the record from the Supreme Court of Appeals of the

State of Virginia, and was argued by Counsel. On consideration whereof the Court being equally divided in opinion, it is now here ordered & adjudged by this court that the judgment of the said Supreme Court of Appeals in this cause be, and the same is hereby affirmed with costs.

By a divided Court.

The United States
1161 vs Plaintiffs
James D. Porter

The United States
1162 vs Plaintiffs
Same.

The United States
1163 vs Plaintiffs.
W. S. Scott

The United States
1164 vs Plaintiffs
James McDermon.

The United States
1165 vs Plaintiffs
Jos. H. Wardlow.

On consideration of the motion filed by Mr Attorney General Akerman to advance these cases on the docket, and fix a day certain for the argument of the same, it is now here ordered by the Court that said motion be & the same is hereby denied.

53. The United States vs. Plaintiffs. John M. Pugh impleaded with John Siller. | On a certificate of division in opinion between the Judges of the Circuit Court of the United States for the Southern District of Ohio

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Ohio, and on the points or questions on which the Judges of said Circuit Court were opposed in opinion, and which were certified to this Court for its opinion agreeably to the act of Congress in such case made and provided and on the motion of Mr Attorney General Akerman of Counsel for the plaintiffs, with the consent of Mr Stanbery of Counsel for the defendant, it is now here ordered and adjudged by this Court, that this cause be, and

the same is hereby dismissed.
per Mr Justice Nelson.

The State of Missouri Complainant.	The argument of this
vs.	Cause was
The State of Kentucky.	Continued

by Mr Davis for the respondent.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Tuesday January 31st 1871.

Pursuant to adjournment, the court met this morning at the Capitol.

Present.

The Honorable Samuel Nelson
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices.

Richard C. Parsons Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the court is opened.

V. S. Corbett. vs. Pltf. in error.
H. D. Smith Luster & Co.

On the motion of Mr Carlisle it is now here ordered by the court that leave be, and the same is hereby granted the clerk to issue the Mandate in this cause.

The United States vs The Heirs of John Leyna, Appellants

This cause was submitted to the consideration of the court on the record & printed argument by Mr Attorney General Akerman and Mr Assistant Attorney General Hill of counsel for the appellants, and by Mr L. Janin of Counsel for the appellees.

1141 Henry Stagg vs The Connecticut Mutual Life Insurance Co. Pltff in error,

This cause was submitted to the consideration of the court on the record and printed argument by Mr James C. Moody of counsel for the plaintiff in error, and by Mr J. M. Krum of counsel for the defendants in error.

1161 Franklin Farmalee dal. vs Daniel Lawrence. Pltfs in error,

This cause was submitted to the con-

consideration of the court on the record and printed argument by Mr C. Beckwith of counsel for the plaintiffs in error, and by Mr George Payson of counsel for the defendant in error

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215 George B. Stovall &c. dal. vs Francis A. Banks et al.

Plaintiffs in error

This cause was submitted to the consideration of the court on the record and printed argument by Mr John D. Pope of counsel for the plaintiffs in error, and by Mr D. A. Walker of counsel for the defendant in error

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219 Caleb P. Marsh vs The Board of Supervisors of Fulton Co.

Plff in Error.

This cause was submitted to the consideration of the court on the record and printed argument by Mr C. K. Browning of counsel for the plaintiff in error, and by Mr

S. C. Judd of counsel for the defendants in error.

The State of Missouri Complainant.	The argument of this cause was continued by Mr Jarrel Davis of counsel for the respondent.
vs.	
The State of Kentucky.	

Proclamation being made, the Court is adjourned until tomorrow Morning at eleven o'clock.

Wednesday February 1st. 1871.

Pursuant to adjournment the court met this morning at the Capitol.

Present.

The Honorable Samuel Nelson
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices

Richard C. Parsons Esquire Marshal.
Daniel Kesley Middleton Clerk.

Proclamation being made the court is opened.

On motion first made to the court on this behalf by Hon Montgomery Blair, it is ordered that John L. MacGregor Esquire of New York City be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

On motion first made to the court on this behalf by Mr George Taylor, it is ordered that S. R. Harrington Esquire of Little Rock, State of Arkansas be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

On motion first made to the court on this behalf by Mr J. K. Ashton it is ordered that James T. Mitchell Esquire of Philadelphia, State of Pennsylvania be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

The State of Missouri Complainant
vs
The State of Kentucky.

The argument of this cause was continued by Mr K. Hannay of counsel for the respondent & Mr Dick of counsel for the complainant.

Proclamation being made the court is adjourned until tomorrow morning at eleven o'clock.

Thursday February 2nd A.D. 1871.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Samuel Nelson
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong &
Joseph P. Bradley

} Associate Justices.

Richard C Parsons Esquire Marshal
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon Henry Stanbery, it is ordered that Edward Roby Esquire of Chicago State of Illinois be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Thursday January 2nd 1851 continued

The State of Missouri Complainant. vs. The State of Kentucky.	The argument of this cause was concluded by Mr Dick of counsel for the complainant.

Proclamation being made the court is adjourned until tomorrow morning at eleven o'clock

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Friday February 3rd 1871.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Samuel Nelson
Nathan Clifford
Noah H Swayne
Samuel F Miller
David Davis
Stephen J Field
William Strong
Joseph P Bradley
} Associate Justices.

Richard C Parsons Esquire Marshal
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Solicitor General Bristow, it is ordered that Isaac Caldwell Esquire of Louisville State of Kentucky be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Hon Wall H Carpenter it is ordered that Thomas C Fullerton Esquire of Huntsville State of Alabama, be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

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329 James Pippington late Collr. of Int Rev. &c. vs. Fell. in error, Joseph M. Day.

The argument of this cause was commenced by Mr J. C. Ropes of counsel for the plaintiff in error, continued by Mr Foster of counsel for the defendant in error and concluded by Mr Attorney Genl. Herman of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until Monday morning next at eleven o'clock.

Monday, February 6th 1871

Pursuant to adjournment the court met this morning at the Capitol.

Present.

The Honorable Samuel Nelson
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices

Richard C. Parsons Esquire Marshal
Daniel Wesley Middleton Clerk

Proclamation being made the court is opened.

On motion first made to the Court on this behalf by Mr Attorney General Akerman, it is ordered that Hon Herschel V. Johnson of Augusta State of Georgia, be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

On motion first made to the Court on this behalf by Mr Assistant Attorney General Hill it is ordered that Henry B. Kelly Esquire of New Orleans, State of Louisiana be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

	William S. Ward, Executor of Nahum Ward, deceased Appellant.	Appeal from the Court of Claims.
D.	vs.	
	The United States.	

This cause came on to be heard on the transcript of the record from the Court of Claims and was argued by counsel. On consideration whereof, it is now here ordered adjudged and decreed by this Court that the decree of the said Court of Claims in this cause be, and the same is hereby affirmed.

Dissenting: Chief Mr Justice Davis. Mr Justice Field

The Insurance Company Life & Fire Insurance Co. vs. Stiff, in error. Henry K. Oliver, treasurer and receiver general of the Commonwealth of Massachusetts.

In error to the Supreme Judicial Court of the Commonwealth of Massachusetts

64.

This cause came on to be heard on the transcript of the record from the Supreme Judicial Court of the Commonwealth of Massachusetts, and was argued by Counsel. On consideration whereof, it is now here ordered adjudged and decreed by this Court, that the decree of the said Supreme Judicial Court in this cause be, and the same is hereby affirmed with costs, and interest until paid at the same rate per annum that similar decrees bear in the courts of the State of Massachusetts.

per Mr. Justice Miller.

	John Martin, Thomas Quayle, David Troller, and Ralph K. Herman, claimants of the Barque "Thina Martin" her boats &c.	Appeal from the Circuit Court of the United States for the District of Wisconsin
75.	vs. Appellants.	
	The Northern Transportation Company of Ohio - The Buckeye Mutual Insurance Comp'y. N. D. Hunter, Chas J. Hill, Geo. C. Reed, Joseph Cogswell, Eliza A. Cogswell Wm. Phillips, Orrin Staples, Wm. H. Brace, and The Merchants Insurance Company.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Wisconsin, and was argued by Counsel - On consideration whereof, it is now here ordered, adjudged and decreed by this court, that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs, and interest until paid at the same rate

per annum that similar decree bear on the courts of the State of Wisconsin. And it is further ordered that this cause be, and the same is hereby remanded to the Circuit Court of the United States for the Eastern District of Wisconsin.

per Mr justice Clifford

Simon Wing
vs.
Mifflin and
& Schammaker.

Appeal from the Circuit Court of the United States for the Northern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of New York, and was argued by counsel. On consideration whereof, the court being equally divided in opinion it is now here ordered adjudged and decreed by this court, that the decree of the said Circuit

Court in this cause be and the same is hereby affirmed with costs.

By a divided Court.

	Franklin Parmalee and David M. Gage.	In error to the Supreme Court of the State of Illinois.
104	vs. Piffs in Error.	
	Daniel Lawrence.	

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Illinois and was argued by counsel On consideration whereof, it is now here ordered adjudged, and decreed by this court, that the writ of error in this cause be, and the same is hereby dismissed for the want of jurisdiction.

per Mr justice Nelson.

	M. V. Stuart & Co.	This cause was sub-
81	vs. Piffs in Error.	mitted to
	Bloom, Kahn & Co.	the court.

cration of the court on the record and printed argument by Mr S. M Johnson of counsel for the plaintiffs in error; and by Mr E. J. Merrick of counsel for the defendants in error.

The Germania Fire Insurance Company.	Ordered by the Court that this
82. vs. Plaintiff in error.	cause be, and
John R. Francis.	the same is
	hereby passed

for the present.

Justo Garcia Y. Leon.	These causes
55 vs. Pff in Error.	were submit
Mariano Galceran.	ted to the
Justo Garcia Y Leon	consideration
56. vs Pff. in Error.	of the Court
Manuel Pijuan	on the record
and	& printed
Justo Garcia Y. Leon.	argument
92 vs Pff. in Error.	by Mr Cush
Juan Oliver.	ing of coun
	sel for the

plaintiffs in error. No counsel appearing for the defendants in error.

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61 Franklin McVeagh vs Pfff. in error
A. H. Heard Collector &c The City of Chicago et al

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62. Franklin McVeagh vs. Pfff. in error.
August Newhaus Coll. &c.

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409 David Dows. vs. Appellant.
The City of Chicago A. H. Heard Coll. and The Union Nat'l Bank of Chicago.

and

410. The Union National Bank of Chicago. vs. Appellant
David Dows. The City of Chicago A. H. Heard Coll &c Appellees.

These causes were submitted to the consideration of the Court on the records and printed arguments by Mr J. H. Roberts of counsel for the plaintiffs in error & appellants, and by Mr M. F. Tuley of counsel for the defendants in error and appellees.

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227. Frank Trebidcock's admr, vs. Tiff, in error. Benjamin Wilson's Elizabeth Wilson.

This cause was submitted to the consideration of the court on the record and printed argument by Mr George H. McCrary of counsel for the plaintiff in error, and by Mr George P. Corkhill for the defendant in error.

Proclamation being made the court is adjourned until tomorrow morning at eleven o'clock

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Thursday February 7th 1871.

Pursuant to adjournment the court met this morning at the Capitol

Present.

The Honorable Samuel Nelson
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices.

Richard C. Parsons Esquire, Marshal.
Daniel Wesley Middleton, Clerk.

Proclamation being made the court is opened.

On motion first made to the court in this behalf by Mr Penn Clarke it is ordered that Isaac Cook Esquire of Cedar Rapids State of Iowa be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly

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3	Archibald P. Scarlett, admr, vs. Irwin H. Fuller.	This cause was submitted to the consideration of the court on the record and printed argument by Mr A. H. Garland of counsel for the plaintiff in error, and by Mr W. P. Chipman of counsel for the defendant in error.

9	Henry S. Dexter vs Piff, in error Mary K. Hall dal.	Mr Galpin of counsel for the defendant in error having suggested the death of Henry S. Dexter the plaintiff in error in this cause. moved the Court for an order under the 15th rule of court to make the proper representatives parties. On consideration whereof, it is now here ordered by this Court, that unless the proper representatives of the said Henry S. Dexter deceased shall voluntarily

become parties within the first ten days of the ensuing term of this Court the defendants in error shall be entitled to have this writ of error dismissed. Provided that a copy of this order shall be printed in some newspaper at the seat of government in which the laws of the United States shall be printed by authority for three successive weeks, at least sixty days before the beginning of the term of the Supreme Court, next ensuing.

William McFarrington vs. Tiff, in Error, Rolfe S. Saunders.

Mr Edward Roby asked leave of the Court to file a printed brief in this case on the subject of direct & indirect taxation. Whereupon this Court not being now here sufficiently advised of, and concerning what order to render in the premises took time to consider.

273.	Samuel H. Mason vs E. A. Rollins Comm'r of Internal Revenue.	On the motion of Mr Roby, it is now hereordered by the Court that the appearance of Mr S. W. Fuller be stricken from the dock et as counsel in these
274	Parker R. Mason vs S. S. Mann, Deputy Collector of Internal Revenue. and	
275.	Parker R. Mason vs R. M. Hart Dep. Coll. Int. Rev.	

Cases.

341	213 Kegs. fine cut Chewing tobacco etc. vs Iff, in Error The United States.	On motion of Mr Roby it is now here ordered by the Court that the appearance of Mr J. Coyne be stricken from the dock et in this cause.

William M. Farrington vs Piff, in error Rolfe S. Saunders.	The argument of this cause was commenced by Mr Wm. M. Evarts of counsel for the plaintiff in error, and continued by Mr Assistant Attorney General Hill of counsel for the defendant in error.

Proclamation being made, the court is adjourned until tomorrow morning, at eleven o'clock.

Wednesday February 5th 1851.

Pursuant to adjournment the court met this morning at the Capitol.

Present

The Honorable Samuel Nelson
Nathan Clifford
Robt McLean
Samuel F. Miller
David Davis
Stephen J. Field
William Strong &
Joseph P. Bradley

} Associate justices.

Richard C. Parsons Esquire Marshal
David Wesley Middleton Clerk

Proclamation being made the court is opened.

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6. Thomas M. Farrington vs Rolfe S. Saunders. | Pltf. in Error

The argument of this cause was continued by Mr Attorney General Akerman of counsel for the defendant in error, and concluded by Mr D K Cartter of counsel for the plaintiff in error.

	Silver Miller	This cause was argued by
13.	vs. Pff in err.	Mr. Thos. Nelson of counsel
	Lachlin McKenzie	for the plaintiff in error. No

Counsel appearing for the defendant in error.

	Silver Miller	On motion of the
13.	vs. Pff. in err.	Attorney General, leave
	Lachlin McKenzie	is hereby granted him

to file a printed brief on this cause, on the part of the dft. in error.

	N. Y. P. Garnett Claimt.	The argument
11.	vs. Pff. in error.	of these cases
	The United States.	was commenced
	N. Y. P. Garnett Claimt.	by Mr
15.	vs. Pff. in error.	C Cushing
	The United States.	of counsel
	and	for the plaintiffs
	William N. McVeigh	in error.
28.	vs. Pff. in error.	

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Thursday February 9th 1871.

Pursuant to adjournment the court met this morning at the Capitol.

Present.

The Honorable Nathan Clifford
Noah H. Swayne
Samuel F. Miller — Associate
David Davis — Justices.
Stephen J. Field
William Strong
Joseph P. Bradley

Richard C. Parsons Esquire Marshal
Daniel Wesley Middleton Clerk

Proclamation being made the court is opened.

On motion first made to the court in this behalf by Mr Thomas Wilson, it is ordered that Robert Avery Esquire of New York City be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

The Commonwealth of Virginia. Complainant,
Orig. Ct. vs.
The State of West Va.

Mr B. R. Curtis moved the court for leave to the Attorney General of Virginia to appear and argue this cause, in behalf of the State of Virginia - Whereupon the Court not being now here sufficiently advised of & concerning what order to render in the premises took time to consider.

H. Y. P. Garnett claimt. Pff. in error.
11 vs
The United States

H. Y. P. Garnett claimt.
15 vs. Pff. in error.
The United States.
and
William N. McVeigh
28 vs Pff in error
The United States.

The argument of this cause was continued by Mr Cushing of counsel for the plaintiff in error by Mr Hughes of counsel

for the plaintiff in error, in No 35. and by Mr Solicitor General Bris-tow, and Attorney General Ak-er man of counsel for the defendant in error, and Concluded by Mr Cushing for the plaintiffs in error.

Proclamation being made the court is adjourned until tomorrow morning at eleven o'clock.

Friday February 10th 1871.

Pursuant to adjournment the court met this morning at the Capitol.

Present

The Honorable Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices.

Richard C. Parsons Esqr. Marshal.
Daniel Tenley Middleton Clerk.

Proclamation being made, the court is opened

The Rutland Marble Co. Appellant
vs
William Y. Ripley et al.

and

William Y. Ripley et al. Appellant
vs
The Rutland Marble Co.

On motion of Mr Edmunds and consent of Mr Poland, it is now here ordered by the court that leave be, and the same is hereby granted

the clerk to issue the mandate in these cases.

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3 orig. The Commonwealth of Virginia vs. The State of West Virginia. Complainant

On consideration of the motion of Mr Curtis, it is now here ordered by the court that the Attorney General of Virginia have leave to appear as additional counsel, and argue this cause in behalf of the complainant.

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6 orig. The State of Texas vs. Geo. Peabody's Exrs. et al. Complainant

Mr. F. Key Phillips on behalf of C. Shaw filed answer of Herman Nelter one of the defendants to the bill of complaint in this cause.

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280 The United States vs. James O'Keeffe. Appellants,

Mr Attorney General Akerman moved

the court to advance this cause on the docket, and assign it for argument on the second Monday of March next. Whereupon this court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

The State of Louisiana ex rel W. H. Handlen. vs. Tliff, in error. G. M. Tecklisse, auditor &c.

Mr T. J. Durant of Counsel for the appellee,

having filed and read in open court a suggestion of a diminution and error of the record in this cause in the words and figures following, to wit:

"That the transcript of the record in this case as returned from the Supreme Court of the State of Louisiana is defective in this, that that page of the printed transcript in the answer of the Attorney General

of Louisiana, and in the fifth line thereof, the word "an" occurs instead of the word "no" so as to make it appear that there was "an appropriation" when in truth and in fact there was "no appropriation" and in the same answer and in the seventh line thereof, the word "an" occurs instead of the word "on" so as to read "an appropriation" instead of "on appropriation"

By reason of which omissions and errors and errors aforesaid the said Counsel now here moved the Court to award a writ of certiorari, to be directed to the Judges of the Supreme Court of the State of Louisiana, commanding them that searching the records & proceedings of said Court in this cause, they shall certify to this Court under the seal of the said Supreme Court whatever omissions and errors shall be found. On consideration whereof, it is now here ordered & adjudged

by this court, that a writ of certiorari be, and the same is hereby awarded to be issued forthwith and to be directed to the Judges of the Supreme Court of the State of Louisiana, commanding them that searching the records and proceedings aforesaid, they forthwith certify to this court, under the seal of the said Supreme Court, whatever omissions and errors shall be found in this cause and return the same with the said writ of certiorari forthwith to this court.

Per Mr Justice Clifford.

Emil Steinbach
vs. Pff in error.
Charles L. Stewart

This cause was submitted to the consideration of the Court on the record and printed argument by Mr John Wilson of counsel for the plaintiff in error, and by Mr Wells and Mr Wheeler of Counsel for the defendant in error.

Friday February 10th 1871 continued.

21.	Samuel Miller Exr. vs. Piff in error The United States.	This cause was argued by Mr George H. Edmunds and Mr Solicitor General Bristow of counsel for the defendants in error, and submitted on printed argument by Mr W. P. Wells and Mr S. T. Douglas of counsel for the plaintiffs in error

24.	F. B. Syler vs. Piff. in error John G. Defrees.	The argument of this cause was commenced by Mr R. J. Brent of counsel for the plaintiff in error, and continued by Mr Riddle and Mr G. Madison Day of counsel for the defendant in error.

Proclamation being made the court is adjourned until Monday morning next at eleven o'clock.

Monday February 13th 1871.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices.

Richard C. Parsons Esquire Marshal
Samuel Wesley Middleton Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr A. J. Chipman it is ordered that W. D. Wylie Esquire of Shreveport, State of Louisiana, be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

On motion first made to the court in this behalf by Hon. B. R. Curtis it is ordered that James C Taylor Esquire of Richmond State of Virginia be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

Leo P. Sloval ordinary who sues for the use of Sd Eubanks, George Eubanks, and James M. Hatch, and wife, Sallie Hatch.

215 vs Plffs. in error

Francis A. Banks, Hugh J. Crosby, and James S. Reed.

In error to the District Court of the United States for the Northern District of Georgia

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of Georgia, and was argued by Counsel. On consideration whereof

it is now here ordered & adjudged by this Court, that the judgment of the said District Court, in this cause be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said District Court with directions to award a venire facias de novo.

per Mr Justice Strong.

Caleb P. Marsh
vs. Pltff in Error
The Board of Supervisors of Hilton &c.

In error to the Circuit Court of the United States for the Southern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Illinois, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged

by this court, that the judgment of the said Circuit Court, in this cause be, and the same is hereby affirmed with costs

per Mr Justice Field.

	Henry Stagg	In error to the Circuit Court of the United States for the Districts of Missouri.
114	vs. Jefferson.	
	The Connecticut Mutual Life Insurance	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Districts of Missouri, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this court, that the judgment of the said Circuit Court, in this cause be and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Missouri. per Mr Justice Miller.

James Reay
vs. Appellant,
Marguerite Le Claire
and Geo L. Davenport
Exrs of Antoine Le-
Claire dcsd et al.

Appeal from
the Circuit
Court of the
United States
for the Dis-
trict of Iowa.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Iowa, and was argued by counsel. On consideration whereof, it is now here ordered adjudged and decreed by this court that the decree of the said Circuit Court in this cause be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court with directions to enter a decree & proceed in conformity with the opinion of this court.

per Mr Justice Swayne.

280 The United States vs. Appellants James O'Keeffe. | On consideration of the motion filed in this cause by Mr Attorney General Akerman. it is now here ordered by the court, that this cause be, advanced on the docket, and set for argument on the Second Monday of March after the cases already assigned for that day.

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13 Silver Miller vs. Riff, in error, Lachlan McKinzie et al. | Mr G. Phillips moved the court for leave to appear and argue this cause, or file a printed brief on behalf of the defendant in error. Whereupon this court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

Monday February 13th 1871. continued-

13. Silsbee Miller vs. Tiffin in error, Sarah M. Kinzie et al | Mr B. Stanton moved the court for leave to intervene, and be allowed to argue this cause or file a printed brief on behalf of the plaintiff in error. Whereupon this court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

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21. H. B. Tyler vs Tiffin in err. John D. Defrees. | The argument of this cause was concluded by Mr R. T. Merrick of counsel for the plaintiff in error.

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3. orig. The Commonwealth of Virginia Complainant vs The State of West Virginia | The argument of the demurrer to complainants bill in this cause was commenced by Mr B. Stanton of counsel for the respondent.

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17. Thomas H. Parke vs Sliffin error George Davis

This cause was submitted to the consideration of the court on the record & printed argument by Mr B. Thomas of counsel for the plaintiff in error & by Mr S. F. Butler of counsel for the defendant in error.

Proclamation being made the court is adjourned until 10 tomorrow morning at eleven o'clock

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Tuesday February 14th 1871.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices.

Richard C. Parsons Esquire Marshal
Daniel Wesley Middleton Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. P. Phillips, it is ordered that Silas H. Strickland Esquire of Omaha, State of Nebraska, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

13	Peter Miller vs. Tiff: in error. Larkin McKenzie et al.	On consideration of the motions of Mr P. Phillips &

Mr B. Stanton, it is now here ordered by the Court, that leave be, and the same is hereby granted them to file printed briefs as prayed in this cause.

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3 orig:	The Commonwealth of Virginia vs. The State of West Virginia. Complainant.	The argument of the demurrer

to complainants bill was continued by Mr Taylor, Attorney General of Virginia of counsel for the complainants, by Mr Faulkner for the respondent and by Mr Andrew Hunter of counsel for the complainant.

Proclamation being made the Court is adjourned until tomorrow, morning at eleven o'clock.

Wednesday February 15th 1871.

Pursuant to adjournment the court met this morning at the Capitol.

Present.

The Honorable Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices.

Richard C. Parsons Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the court is opened.

On motion first made to the court in this behalf by Mr Attorney General Akerman it is ordered that Spencer S. Hillier Esquire of New York City be admitted to practice as an attorney & counsellor of this court and he was sworn accordingly.

The Commonwealth of Virginia
3 mig: vs. Complainant
The State of West Virginia

The argument of the demurrer to complainants bill in this cause was continued by Mr Andrew Hunter, and Mr B. R. Curtis of Counsel for the complainant - and by Mr Reverdy Johnson of counsel for the respondent.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Thursday, February, 16th, 1871.

Pursuant to adjournment the court met this morning at the Capitol.

Present.

The Honorable Samuel Nelson
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices

Richard C. Parsons Esquire Marshal
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf, by Hon. Reverdy Johnson, it is ordered that James H. Emory Esquire of Washington City, District of Columbia, and Charles F. Kerr, Esquire of Baltimore, State of Maryland, be admitted to practice as attorneys and counsellors

of this court, and he was sworn accordingly.

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3 orig.	The Commonwealth of Virginia vs. The State of West Virginia.	Complainant	The argument of the demurrer to complainants bill in this cause was concluded by Mr R. Johnson of counsel for the respondent.

132	The Ship "Sapphire" &c. Trefand et al. Claimants vs. Napoleon III Emperor of the French.	Appellants	The argument of this cause was commenced by Mr E. B. Goodrich of counsel for the appellants, and continued by Mr C Cushing of counsel for the appellee.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Friday February 17th 1871

Pursuant to adjournment the court met this morning at the Capitol

Present.

The Honorable Samuel Nelson
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices

Richard C. Parsons Esquire Marshal
Daniel Wiley Middleton, Clerk.

Proclamation being made the court is opened.

On motion first made to the court on this behalf by Hon C. Cushing it is ordered that G. Wiley Welles Esquire of Holly Springs, State of Mississippi be admitted to practice as an attorney & counsellor of this court, and he was sworn accordingly.

On motion first made to the court in this behalf by Hon. Matt H. Carpenter, it is ordered that John S. Staples Esqure of Marion State of Virginia be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

Elizabeth W. Edmonson et al.
55. vs. Appellants
Adam Bloomshire et al.

On motion of Mr Stanbery it is now here ordered by the court, that Cave, &c. and the same is hereby granted the clerk to issue the mandate in this cause.

T. C. Callicot, Special Agent of the Treasury Department.
95. vs Peffin error.
Alexander McLeod.

In error to the Circuit Court of the United States for the District of South Carolina.

Friday February 17th 1871 Continued.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of South Carolina, and on the motion of Mr Phillips of counsel for the defendant in error, to dismiss this writ of error, and it appearing to the Court that the record contains no entry of judgment, it is now here ordered and adjudged by this Court, that the writ of error, in this cause be, and the same is hereby dismissed with costs.

Per Mr Justice Nelson

Peter Miller
vs. In Error
Lewis M Hazlehurst.

The motion to dismiss this case was argued by Mr P. Phillips in support thereof, and by Mr. T. Nelson in opposition thereto.

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132. The Ship "Sapphire" &c vs. Appellant
Napoleon III Emperor of the French.

The argument of this cause was continued by Mr C. Cushing of counsel for the appellee, and concluded by Mr C.B. Goodrich, of counsel for the appellant

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120. The United States vs Plaintiffs
James Tynen.

This cause was submitted to the consideration of the Court, on the record and printed argument by Mr Attorney General Akerman of counsel for the plaintiffs. No counsel appearing for the defendant

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Proclamation being made the Court is adjourned until Monday morning next at eleven o'clock

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Monday February 20th 1871.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Samuel Nelson
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices.

Richard C. Parsons Esquire Marshal
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Solicitor General Bristow, it is ordered that J. H. Price Esquire of Toledo State of Ohio, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the court on this behalf by Hon Henry Stanbery, it is ordered that E. P. Ferguson Esquire of Cincinnati State of Ohio, be admitted to practice as an attorney and Counsellor of this court and he was sworn accordingly

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Emil Steinbach
210. vs. Eff. in error
Chas. T. Stewart
& H. Whitman, Jr.
& Watts & J. B. Warfield

In error to the Circuit Court of the United States for the District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of California and was argued by Counsel. On consideration whereof, it is now here ordered and adjudged by this court, that the judgment of the said Circuit Court, in this cause be, and the same is hereby affirmed with Costs. per Mr Justice Strong

Jonathan Sturges, Josiah A. Bonnd, Frederick Sturges, & Benjamin G. Arnold. vs. John A. Draper and Henry Draper, Executors &c. Simon Draper deceased - late Collector of the Port of New York.

In error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs. per Mr Justice Clifford.

6. William M. Farrington. Pff. in error. vs. Rolfe S. Saunders. | In error to the Circuit Court of the United States, for the Western District of Tennessee

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Tennessee, and was argued by counsel. On consideration whereof, the Court being equally divided in opinion it is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court, in this cause, be and the same is hereby affirmed with costs.

By a divided Court.

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13 Silas Miller vs. Pff in err. Larkin McKenzie James Hamer, Joseph Hamer & Ezekiel Hall. | In error to the District Court of the United States for the Northern District of Mississippi.

This cause came on to be heard on the transcript of the record from the District Court of the United States, for the Northern District of Mississippi, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this court, that the writ of error in this cause be, and the same is hereby dismissed for the want of jurisdiction.

per Mr Justice Nelson.

Wm Blyew and George Kennard vs. Plffs. in error.
The United States.

The argument of this cause was commenced by Mr Isaac Caldwell of counsel for the plaintiffs in error, and continued by Mr Solicitor General Bristow of counsel for the defendant in error.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Tuesday February 21st 1871.

Pursuant to adjournment the court met this morning at the Capitol.

Present.

The Honorable Samuel Nelson
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices.

Richard C. Parsons Esquire Marshal.
Daniel Wesley Middleton Esq.

Proclamation being made the court is opened.

On motion first made to the court on this behalf by Hon S. P. Poland it is ordered that J. H. Benton junior Esquire of Lancaster, State of New Hampshire, be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

205	John Bryan et al. vs. Pliffs. in error. The United States	The argument of this cause was continued by Mr Attorney General A Kirman of counsel for the defendant in error, and concluded by Mr J. S. Black of counsel for the plaintiffs in error.

Proclamation being made the Court is adjourned until Thursday morning next at eleven o'clock.

Thursday February 23rd 1871.

Pursuant to adjournment the court met this morning at the Capitol.

Present.

The Honorable Samuel Nelson
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices.

Richard C. Parsons Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made, the court is opened.

On motion first made to the court on this behalf by Mr Solicitor General Bristow it is ordered that John S. Murphy Esquire of Virginia City Montana Territory be admitted to practice as an attorney and counsellor of this court & he was sworn accordingly.

Thursday February 23rd 1871 continued.

10. William B. Ives. vs. Plff. in error. Thos. G. Ives Adl. | The argument of this cause was commenced by Mr Purchal of Counsel for the plaintiff in error continued by Mr J. A. Mills of Counsel for the defendant in error & concluded by Mr Purchal for the plaintiff in error.

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5. The Balt & Ohio R.R.Co. vs. Plff. in error. John C. Harris' admx. | Ordered by the court that this cause be further postponed to the 17th of April next.

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82. The Germania Fire Ins Co. vs. Plff. in error, John K. Francis. | The argument of this cause was commenced by Mr J. G. McCahan of Counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Friday February 24th 1871.

Pursuant to adjournment the court met this morning at the Capitol.

Present.

The Honorable Samuel Nelson
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices.

Richard C. Parsons Esquire Marshal
Daniel Wesley Middleton Clerk.

Proclamation being made the court is opened.

On motion first made to the court in this behalf by Mr Attorney General Akerman it is ordered that James Atkins Esquire of Atlanta State of Georgia be admitted to practice as an attorney & counsellor of this court and he was sworn accordingly.

On motion first made to the Court on this behalf by Hon L. S. Poland, it is ordered that E. H. Clark junior Esquire and F. G. Davis Esquire of Washington City District of Columbia be admitted to practice as attorneys and Counsellors of this Court, and he was sworn accordingly.

On motion first made to the Court on this behalf by Mr Theodore Bacon, it is ordered that James C. Cochrane Esquire of Rochester State of New York, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

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219 The United States vs. Plaintiffs / Seth Howell. | On the motion of Hon Solicitor General Bristow, it is now

here ordered by the Court that this cause be advanced on the

docket, and set for argument on Monday the twentieth day of March.

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377 The Steamship "R. L. Maloy" vs. Appellant. J. Atkins et al, owners of the Ship "Isaac F. Chapman"

The motion of Wm H. H. Goodrich for leave to take out a commission to take further testimony in this cause, was argued by him in support thereof, and by Mr E. C. Benedict in opposition thereto. Whereupon this Court not being now here sufficiently advised of, and concerning what order to render in the premises took time to consider.

4531 Charles G. Miller et al. vs. Plffs in Error The People of the State of New York.

The motion of counsel for the respective parties to advance this cause on the docket, and fix an early day for

the argument of the same, were argued by Mr Theodore Bacon of counsel for the plaintiffs in error and by Mr Cochrane of counsel for the defendant in error - in support of said motions Thereupon this Court not being now sufficiently advised of, and concerning what order to render in the premises took time to consider.

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52 The Germania Fire Insurance Company vs. Pff. in error John L. Francis. | The argument of this cause was continued by Mr T. A. Hendricks of counsel for the defendant in error, and by Mr Carlisle of counsel for the plaintiff in error.

Friday February 24th 1871. Continued

87 The 4th National Bank of New York City. vs The New Orleans, and Carrollton R.R.Co. et al. Appellant.

The argument of this cause was commenced by Mr P. Phillips of counsel for the appellants. Continued by Mr J. M. Carlisle of counsel for the appellee and concluded by Mr P. Phillips for the appellant.

Proclamation being made the Court is adjourned until Monday morning next at eleven o'clock.

Monday, February 27th 1871.

Pursuant to adjournment the court met this morning at the Capitol

Present.

The Honorable Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices.

Richard C. Parsons Esquire Marshal
Daniel Wesley Middleton Clerk.

Proclamation being made the court is opened.

On motion first made to the court in this behalf by Mr. Attorney General Akerman, it is ordered that J. G. Sutherland Esquire of Saginaw City, State of Michigan, and Lander J. Critchfield Esquire of Columbus, State of Ohio, be admitted to practice as attorneys and counsellors of this court and they

were sworn accordingly.

On motion first made to the court in this behalf by Mr James M. Carlisle, it is ordered that R. J. Durrel Esquire of Richmond State of Virginia, be admitted to practice as an attorney & counsellor of this court, and he was sworn accordingly.

409	David Dows vs. Mitchell, The City of Chicago - H. H. Heald Collr, &c. and The Union National Bank of Chicago	Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois and was argued by Counsel. On consider-

ation whereof it is now here ordered, adjudged and decreed by this court, that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

Per Mr Justice Field.

The Union National Bank of Chicago -
vs. Appellant
David Dows, The City of Chicago, and A. H. Heard Collector &c.

Appeal from the Circuit Court of the United States for the Northern District of Illinois.

1410

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois and was argued by counsel. On consideration whereof, it is now here ordered adjudged and decreed by this court that the decree of

the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

per Mr Justice Field.

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78. The Mayor & City Council of Baltimore. vs. Pltff. in error. The Balto & Ohio R. R. Co. | In error to the Circuit Court of the United States for the District of Maryland.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maryland, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this court, that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

per Mr Justice Davis.

Franklin MCCleagh
61 vs. Plaintiff in error,
A. H. Heard, Collr. of taxes for the City of Chicago, - The City of Chicago - The Commercial National Bank of Chicago - H. H. Eames. J. A. Westfall - H. H. Culver, Recr. Chan. of St. Paul for; A. Kupfer, W. H. Ferry, H. H. Krelzinger Hamperec[illegible] Noules, H. H. Taylor, N. O. Williams and P. C. King

In error to the Supreme Court of the State of Illinois.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Illinois, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court, that the writ of error, in this cause be, and the same is hereby dismissed with costs.

per Mr Justice Clifford

62. Franklin McVeagh vs. Pfaff. in error.

August Neuhaus, Collector of taxes for the town of South Chicago, The Commercial National Bank of Chicago - H. F. Eames, P. A. Westfall, H. L. Culver, Bacon Wheeler, O. F. Pulsifer, A. Kaup, W. H. Tarry, W. H. Kretzinger, A. Campbell, A. Cowles, H. H. Taylor, N. C. Williams, and H. W. King.

In error to the Supreme Court of the State of Illinois.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Illinois, and was argued by counsel. On consideration whereof it is now here ordered, and adjudged by this court that the writ of error in this cause be, and the same is hereby dismissed with costs.

per Mr Justice Clifford.

	P. H. Morgan, Charles D. Villoz, and Henry Bezon, Commissioners of the Bank of Louisiana	Appeal from the Circuit Court of the United States for the District of Louisiana
218.	vs. Appellants.	
	John Thornhill, George L. Thompson, Isidore Newman, & Sarah Williams	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana, and was argued by Counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court, that this appeal, be, and the same is hereby dismissed for the want of jurisdiction.

per Mr Justice Clifford

	Manning R. L. Maloy &c. John Caldwell Exr et al.	On consideration of the motion
377	vs. Appellants	filed in this
	J. Atkins et al. Owners of the Sch Jane F. Chatman	cause for

leave to take out a commission to take further testimony, and of the argument of counsel thereupon had, as well in support of as against the same. it is now here ordered by the court that said motion be, and the same is hereby denied.

per Mr Justice Clifford

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454. Charles G. Miller et al. vs. The People of the State of New York. | On consideration of the motion filed by counsel for the respective parties in this cause to advance the same and fix an early day for argument and of the argument of counsel thereupon had, as well in support of as against the same it is now here ordered by the court that said motions be, and the same are hereby denied.

per Mr Justice Clifford

The Germania Fire Insurance Company. 82. vs. Plff. in error. John R. Francis	Mr Justice Clifford announced that the court did not wish to hear any further argument in this cause.

The First National Bank of South Bend. 88. vs. Plff. in error Charles Lanier et al.	This cause was argued by Mr T. A Hendricks of counsel for the defendant in error. and submitted on printed argument by Mr McDonald and Mr Roache of counsel for the plaintiff in error.

A. Levy. 90. vs. Plaintiff in error. A. T. Stewart & Co.	The argument of this cause was commenced by Mr P. Phillips of counsel for the plaintiff in error.

Continued by Mr S. H. Johnson and Mr C. F. Peck of counsel for the defendant in error, and concluded by Mr Phillips for the plaintiff in error.

Proclamation being made the court is adjourned until tomorrow morning at eleven o'clock

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Tuesday February 28th 1871.

Pursuant to adjournment the Court met this morning at the Capitol

Present.

The Honorable Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices

Richard C. Parsons Esquire Marshal
Daniel Tisley Middleton Clerk

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Hon Wm M. Armstrong it is ordered that Samuel Linn Esquire of Williamsport State of Pennsylvania be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

Tuesday February 28th 1871 Continued.

91.	Wm P. Halliday et al. vs. Plffs in error. Thomas A. Hamilton et al.	Ordered by the Court that this Cause be, & the same is hereby passed for the present.

93.	Henry Amy vs. Plff in err. John Buckholder et al.	This cause was argued by Mr C. Whitaker of Counsel for the plaintiff in error. No Counsel appearing for the defts in error.

94.	The Phil. Wil. & Balto R.R.Co. vs. Plff in error. John Dubois.	The argument of this cause was commenced by Mr Thomas Donaldson of Counsel for the plaintiff in error, and continued by Mr Samuel Swan of Counsel for the defendants in error.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock

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Wednesday March 1st 1871.

Pursuant to adjournment the court met this morning at the Capitol

Present.

The Honorable Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices

Richard C. Parsons Esquire Marshal
Daniel Wesley Middleton Clerk

Proclamation being made the court is opened.

On motion first made to the court in this behalf by The Attorney General Akerman, it is ordered that Joseph R. Parrott Esquire of Cartersville State of Georgia, be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

On motion first made to the court in this behalf by Hon C. Cushing it is ordered that Audley N. Gaylord Esquire of Utica State of New York be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly

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94. The Philadelphia Wilmington & Balto R.R. Co. Plff. in Error vs. John Dubois. | The argument of this cause was concluded by Mr Schley of counsel for the plaintiff in error.

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91. William P. Halliday et al Plffs. in error vs. Thomas A. Hamilton et al. | The argument of this cause was commenced by Mr Albert Pike of counsel for the plaintiff in error, continued by Mr Geo P. Strong of counsel for the defendant in error, & concluded

Wednesday March 1st 1871 Continued -

by Mr Pike for the plaintiff in error.)

The State of Louisiana ex rel W. H. Handley.	Ordered by the court that this cause, be, and the same
vs. Pltff. in error.	
G. M. Hickliffe, Auditor &c.	

is hereby passed for the present.

Proclamation being made the court is adjourned until tomorrow morning at eleven o'clock.

Thursday March 2nd 1871.

Pursuant to adjournment the court met this morning at the Capitol.

Present.

The Honorable Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices.

Richard C. Parsons Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the court is opened.

On motion first made to the court in this behalf by Theodore Cuyler Esquire Esquire, it is ordered that Isaac C. Price Esquire of Philadelphia, State of Pennsylvania be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

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97 The Susquehanna and Wyoming Valley Railroad and Coal Company's vs. R. M. Blackford et al Appellants

The argument of this cause was commenced by Mr E. F. Hodges of counsel for the appellants. Continued by Mr Theodore Cuyler of counsel for the appellees, and concluded by Mr Hodges for the appellants.

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98 The Nelson Transportation Company vs. Pfff, in error. Samuel H. Downer

This cause was submitted to the consideration of the court on the record and printed argument by Mr J. R. Jewett, and Mr Geo. B. Ibard of counsel for the plaintiff in error, and by Mr J. T. Mitchell of counsel for the defendant in error.

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99. Samuel C Smith vs Pff in error. The County of Sac. | The argument of this cause was commenced by Mr J K Rogers of counsel for the plaintiff in error.

Proclamation being made the court is adjourned until tomorrow morning at eleven o'clock

Friday March 3rd 1871

Pursuant to adjournment the court met this morning at the Capitol.

Present.

The Honorable Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis, Associate
Stephen J. Field, Justices.
William Strong
Joseph P. Bradley.

& Richard C. Parsons Esquire Marshal
Daniel Wesley Middleton Clerk.

Proclamation being made the court is opened.

Elias Ward
2011. vs. Piff, in error.
The State of Maryland

Mr Ashton in behalf of Mr Evarts of Counsel for the plaintiff in error, moved the court to advance this cause on the docket, and assign it for argument on the 4th of April inst. Whereupon this court not being now here sufficiently ad-

ued of, and concerning what order to render in the premises took time to consider.

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474 William M Cook vs. Jeff. in error, Royal H. Porter et al. | The motion to dismiss the writ of error & supersedeas in this cause, was argued by Mr Hale in support thereof and by Mr Thomas Wilson in opposition thereto. Whereupon this court not being now here sufficiently advised of & concerning what order to render in the premises took time to consider.

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99 Samuel L Smith vs. Jeff in error, The County of Sac. | The argument of this cause was continued by Mr G. Parsons of counsel for the defendant in error, and by Mr Rogers of counsel for the pff in error.

Proclamation being made the court is adjourned until Monday morning next at 10 o'clock,

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Monday March 6th 1871.

Pursuant to adjournment the court met this morning at the Capitol.

Present.

The Honorable Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices -

Richard C. Parsons Esquire Marshal
Daniel Wesley Middleton Clerk.

Proclamation being made the court is opened.

On motion first made to the court in this behalf by Mr James McCarlisle, it is ordered that Alvin C. Bradley Esquire of New York City, be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

On motion first made to the court in this behalf by Hon Williams Lawrence it is ordered that Isaac K. Hawkins Esquire of Huntingdon Tn & A. Sharp Esquire of Manchester State of Tennessee be admitted to practice as attorneys and counsellors of this court, and they were sworn accordingly.

On motion first made to the court in this behalf by Hon M. Blair it is ordered that J. D. Storm Esquire of Stroudsburg State of Pennsylvania be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

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87. The Tenth National Bank of New York City. vs. The New Orleans and Carrollton R.R. Compy, G. T. Beauregard et al. Appellants

Appeal from the Circuit Court of the United States

for the District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana, and was argued by Counsel. On consideration whereof, it is now here ordered adjudged and decreed by this court, that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

per Mr Justice Strong.

The Germania Fire Insurance Company.	In error to the
82 vs. Piff, in error.	District Court
John K. Francis.	of the United
	States for the
	Northern Dis-

trict of Mississippi.

This cause came on to be heard on the transcript of the record from the District Court of the

United States, for the Northern District of Mississippi, and was argued by counsel. On consideration whereof it is now here ordered, and adjudged by this court, that the judgment of the said District Court in this cause be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said District Court with directions to transmit it to the Circuit Court of Monroe County for further proceedings in conformity to law and justice.

per Mr Justice Davis.

The Commonwealth of Virginia
3-orig: vs. Complainant.
The State of West Virginia

This cause came on to be heard on the demurrer of the defendant to complainants bill, and was argued by counsel. On consideration whereof, it is now here ordered adjudged & decreed

by this court that the demurrer be sustained, and that the bill be dismissed. And it is further considered and decreed by the court that the defendant do have and recover from the complainant the costs of this suit to be taxed by the Clerk.

Dissenting: - Mr Justice Miller,
Mr Jus Clifford
" " Davis.
" " Field.

Mrs. M. J. Tarrell Admx. of Arthur Read estate.
111 vs. Eff: in error,
The United States.

In error to the Supreme Court of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia and was argued by Counsel. On consider-

ation whereof, it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause be, and the same is hereby reversed. And that this cause be, and the same is hereby remanded to the said Supreme Court for further proceedings to be had therein in conformity with the opinion of this Court.

per Mr Justice Swayne.

	Alex.r Y. P. Garnett, Adm.r of certain personal property.	In error to the Supreme Court of the District of Columbia.
15.	vs. Pltff: in error.	
	The United States.	

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof, it is now here ordered

and adjudged by this court, that the judgment of the said Supreme Court, in this cause, be, and the same is hereby reversed. And that this cause be, and the same is hereby remanded to the said Supreme Court for further proceedings to be had thereon in conformity with the opinion of this court.

per Mr Justice Swayne.

William A. McVeigh vs. Pfff, in error. The United States. | In error to the Circuit Court of the United States for the District of Virginia.

98

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Virginia, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this court, that the judgment of the said Cir-

cuit Court, in this cause be, and the same is hereby reversed. And that this cause be, and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity with the opinion of this Court.

Per Mr Justice Swayne

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55. Justo Garcia & Son vs. Iff, in error, Mariano Galceran. | In error to the Seventh Judicial District Court of the State of Louisiana

This cause came on to be heard on the transcript of the record from the Seventh Judicial District Court of the State of Louisiana, and was argued by counsel On consideration whereof, it is now here ordered & adjudged by this court that the judgment of the said District Court, in this

cause be, and the same is hereby affirmed with costs, & interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Louisiana.

Per Mr Justice Clifford.

86	Justo Garcia & Leon. vs. Plff. in error. Manuel Pujuan.	In error to the Seventh Judicial District Court of the State of Louisiana

This cause came on to be heard on the Transcript of the record from the Seventh Judicial District Court of the State of Louisiana and was argued by Counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be and the same is hereby affirmed with costs and interest until

paid at the same rate per annum that similar judgments bear in the Courts of the State of Louisiana.

per Mr Justice Clifford.

Justo Garcia & Bro. vs. Plff. in error. Juan Oliver. | In error to the Seventh Judicial District Court of the State of Louisiana.

92

This cause came on to be heard on the transcript of the record from the Seventh Judicial District Court of the State of Louisiana, and was argued by counsel - On consideration whereof, it is now here ordered and adjudged by this Court, that the judgment of the said District Court in this cause be, and the same is hereby affirmed with costs & interest until paid at the same rate

per annum that similar judgments bear in the Courts of the State of Louisiana. pa Mr Justice Clifford.

1871 William M. Cook vs. Piff, in Error, Royal H. Porter, Francis H. Burney, and Robert H. Crittenden, Executors of Albert T. Burney, dec'd. | In error to the Circuit Court of the United States, for the Eastern District of Texas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Texas, and on the motion of Mr Hale to dismiss the writ of error, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court, that the writ of error, in this cause be, and the same is

hereby dismissed with costs.

per Mr Justice Clifford.

Elias Ward.
211 vs. Pff. in error,
The State of Maryland.

On consideration of the motion filed by Mr Ashton, on behalf of Mr Ewards to advance this cause on the docket, and assign a day for argument. it is now here ordered by the Court that said motion, be, and the same is hereby denied.

per Mr Justice Clifford.

William H. Rogers
520. vs. Pff. in error,
The People of the Territory of Montana, James L. Fisk, and James L. Fisk.

Mr D. H. Preston of Counsel for the defendants in error having filed and read in open court the following certificate to wit:

"In the Supreme Court of Montana Territory.

August Term thereof A.D. 1870.

The People of the Territory of Montana, on Ex Rel. James L. Fisk, and James L. Fisk.

Respondent

against

William H. Rodgers.

Appellant.

I. J. R. Alden, Clerk of the Supreme Court of Montana Territory, do hereby certify that on the third day of November A.D. 1870. at a regular term of said Court, judgment on appeal was rendered in the above entitled cause in favor of the respondent, and against the appellant.

That afterwards on the 17th day of November A.D. 1870, the said appellant duly sued out a writ of error or appeal from

said judgment to the Supreme Court of the United States, which said appeal was, on said last mentioned day, duly perfected by said appellant, by filing, in the office of the undersigned Clerk, an undertaking on appeal in the sum of five thousand dollars, and a citation duly served.

In testimony whereof, I have hereunto set my hand, and affixed the seal of the said Supreme Court of Montana Territory, at Virginia City therein this 22nd day of February A. D. 1871.

Seal

J. R. Alden
Clerk

And having stated to the Court that the plaintiff in error had altogether failed to file the record of said cause in this Court, or in anyway to prosecute said writ of error. Now here moved,

the Court, in pursuance of the 9th rule of this Court to have this writ of error, docketed & dismissed. In consideration whereof, it is now here ordered and adjudged by this Court, that this writ of error from the Supreme Court of Montana Territory, be, and the same is hereby docketed and dismissed with costs. And that this cause be, and the same is hereby remanded to the said Supreme Court for further proceedings to be had therein in conformity to law and justice, the said writ of error notwithstanding.

Per Mr Justice Clifford.

Samuel C Smith
vs. Plff. in Error.
The County of Sac.

The argument of this cause was concluded by Mr Rogers of counsel for the plaintiff in error.

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102. C. J. Kaufman et al. vs. Stiff in error. The National City Bank of Milwaukee | On the motion of Mr Cary stating that Mr Carpenter the counsel for the plaintiffs in error, was sick and not able to be present in court this morning - it is now here ordered by the court that this cause be, and the same is hereby postponed until Thursday next the 9th instant.

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100 Louis F. Genres vs. Stiff in error Walter L Campbell | The argument of this cause was commenced by Mr Janin of counsel for the plaintiff in error. Continued by Mr D. G. Campbell, of counsel for the defendant in error, and concluded by Mr Janin for the plaintiff in error.

101.	William White Sr. vs. John R. Hart et al.	Pff. in error.

The argument of this cause was commenced by Mr. P. Phillips of Counsel for the plaintiff in error.

Mr Justice Clifford announced to the Bar, that the Court would take a recess from the adjournment on Friday next the 10th inst. to Monday the 20th instant.

Proclamation being made the Court adjourned until tomorrow morning at eleven o'clock.

Sunday March 7th 1875.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices.

Richard C. Parsons Esquire Marshal
Daniel Wesley Middleton Clerk.

Proclamation being made, the Court is opened

On motion first made to the Court in this behalf by Mr Solicitor General Bristow it is ordered that Samuel A. Merrill Esquire of Idaho City, Idaho Territory, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

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105 John Dalson et al. vs. Appellants. William A. Jones et al.

On motion of Mr T. H. Bushell of counsel for the appellants, and consent of Mr Bristow of counsel for the appellees it is now here ordered by the court that certain printed books and pamphlets certified by the Clerk below & filed as exhibits, or additions to the record in this cause, be used by the counsel on the argument of the cause, without having them reprinted for the present.

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101 William Thiel Sr. vs. Heff. in error. John R. Hart et al.

The argument of this cause was concluded by Mr P. Phillips of counsel for the plaintiff in error. No counsel appearing for the defendant in error.

103	The United States vs. Appellants The Steamer "Mobile" &c. S. M. Booth et al Claimants.	This cause was submitted to the consideration of the court on the record and printed

argument by Mr Attorney General Akerman of counsel for the appellants - No counsel appearing for the appellees.

105.	C. Case Receiver &c, et al. vs. Appellants A. Ferrell & Co et al.	The argument of this cause was commenced by Mr Assistant Attorney General Hill, of counsel for the appellants. continued by Mr Henry B. Kelly, and Henry A. Campbell of counsel for the appellee, and concluded by Mr Solicitor General Bristow of counsel for the appellants.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock

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Wednesday March 8th 1871.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices

Richard C. Parsons Esquire Marshal.
Daniel Henry Middleton Clerk.

Proclamation being made the Court is opened.

The Steamship "Jennie" &c. vs. Appellant,
106. The Schooner "Ellen Forrester" Allen et al. claimants.

The argument of this cause was commenced by Mr H. Herrett Ridgely counsel for the appellant, continued by Mr H. Hethbridge of counsel for the appellees & concluded by Mr R. Johnson of counsel for the appts.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Thursday March 9th 1871.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices.

Richard C. Parsons Esquire Marshal
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon Montgomery Blair it is ordered that Thomas C. Reynolds Esquire of St Louis, State of Missouri, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the court in this behalf by W. D. Wyllie Esquire it is ordered that Daniel C. Finn Esquire of Rocky Comfort, State of Arkansas be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

On motion first made to the court in this behalf by Mr J. H. Cary, it is ordered that Alpha C. May Esquire of Milwaukee State of Wisconsin, be admitted to practice as an attorney & counsellor of this court, and he was sworn accordingly.

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107 The Planters Insce Co. vs. Tift, in Error. Thomas A. Gardiner Treasurer of Kings Co.

The argument of this cause was commenced by Mr Alvin C. Bradley, of Counsel for the plaintiff in error. - The court

declined hearing counsel for the defendant in error, or any further argument in the case.

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108. John Watson et al vs. Appellants, W. A. Jones et al. The argument of this Cause was commenced by Mr Thomas F. Bullitt of Counsel for the appellants, and continued by Mr John M. Harlan of Counsel for the appellees.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Friday March 10th 1871.

Pursuant to adjournment the Court met this morning at the Capitol

Present.

The Honorable Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices.

Richard C. Parsons Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr James A. Carlisle, it is ordered that Horace Henry Cooper of Nashville State of Tennessee, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Friday March 10th 1871. Continued.

367. The Northern R. R. Co. et al. vs. Piffs. in Error. The People of the State of New York. | Mr Ashton of counsel for the defendant in error filed motion to dismiss this writ of error.

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195. The Mayor & Aldermen of Nashville. vs. Plff. in Error. Gibson Merrill et al. | The motion filed by Mr Carlisle to dismiss this cause, was argued by him in support thereof, and by Mr Cooper in opposition thereto.

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195. The Mayor & Aldermen of Nashville. vs. Plff. in Error. Gibson Merrill et al. | In error to the Circuit Court of the United States for the Middle District of Tennessee.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Middle District of Tennessee, and on the motion of Mr Carlisle to dismiss this cause was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court, that this cause be, and the same is hereby dismissed with costs.

per Mr justice Clifford.

The Mayor and Aldermen of Nashville. & S. Piff. in error, Gibson Merritt et al.

Ordered by the Court that leave be, and the same is hereby granted plaintiff in error to withdraw the transcript of record filed in this cause by leaving with the Clerk a receipt for the same.

Friday March 10th 1871 continued

108.	John Watson et al. vs. Mitchell and W. H. Jones et al.	The argument of this cause was continued by Mr B. H. Bristow of counsel for the appellees, and concluded by Mr J. W. Bullitt of counsel for the appellants.

Proclamation being made the Court is adjourned until Monday morning the 20th instant at eleven o'clock.

Monday March 20th 1871

Pursuant to adjournment the court met this morning at the Capitol

Present.

The Honorable Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
William Strong
Joseph P. Bradley
} Associate Justices.

Richard C. Parsons Esquire Marshal
Daniel Wesley Middleton, Clerk.

Proclamation being made the court is opened.

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90. A. Levy vs. Pliff in Error, A. J. Stewart & Co. | In error to the Circuit Court of the United States for the District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States, for the District of Lou-

iana, and was argued by coun
sel. On consideration whereof, it
is now here ordered and adjudged
by this court that the judgment
of the said Circuit Court in this
cause be, and the same is hereby
affirmed with costs and interest
until paid at the same rate per
annum that similar judgments
bear in the courts of the State
of Louisiana.

per Mr. Justice Clifford.

The Honorable Benjamin H.
Bristow, appeared, and produced
the following Letters Patent,
which were ordered by the court
to be recorded on the minutes
of this court, in the following
words, viz:

Ulysses S. Grant.
President of the United States
of America.

To all who shall see these

presents, Greeting:

Know Ye, That reposing special trust and confidence in the Integrity, Ability, and Learning of Benjamin H. Bristow, I have nominated and by, and with the advice and consent of the Senate, do appoint him to be Solicitor General; and do authorize and empower him to execute and fulfil the duties of that office, according to law, and to have and to hold the said office, with all the powers privileges and emoluments, thereunto of right appertaining unto him, the said Benjamin H. Bristow, subject to the conditions prescribed by law.

In testimony whereof, I have caused these Letters Seal. to be made patent, and the Seal of the United States to be hereunto affixed.

Given under my hand at the City of Washing-

the ninth day of December in the year of Our Lord, One thousand eight hundred and seventy, and of the Independence of the United States of America, the ninety-fifth.
By the President: U. S. Grant.
Hamilton Fish
Secretary of State.

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28 | W. N. McVeigh vs. Piff in error. The United States. | On the motion of Mr Hughes it is now here ordered by the Court that leave be, and the same is hereby granted the Clerk to issue the mandate in this cause.

1112 | C. J. Hoffman et al. vs. Pfts. in Error. National City Bank of Milwaukee. | Ordered by the Court that this cause be, and the same is hereby further postponed without day.

18.	N. B. Boyden et al. vs. Pltffs. in error. The United States.	Ordered by the Court that these cases be, & the same are hereby further post. poned with- out day.
19	John F. Halliburton et al. vs. Pltffs. in error. The United States.	
20.	and Wm. A. Berans et al. vs. Pltffs. in err. The United States.	

208.	John F. Pargoud vs. Appellant The United States.	Ordered by the Court that this cause be, and the same is hereby further postponed without day.

253.	Two Hundred & Seven half pound papers Smoking Tobacco E. & Boudinot et al. Claims vs. Pltff. in error. The United States.	The argument of this cause was commenced by Mr Albert Pike of coun- sel for the plaintiff,

in error, continued by Mr Attorney General Akerman, and Mr Solicitor General Bristow of counsel for the defendant in error, and concluded by Mr Pike for the plaintiff in error.

Proclamation being made, the Court is adjourned until tomorrow morning at eleven o'clock.

Tuesday March 21st 1871.

Pursuant to adjournment the court met this morning at the Capitol.

Present.

The Honorable Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
William Strong
Joseph P. Bradley
} Associate Justices

Richard C. Parsons Esquire Marshal
Daniel Wesley Middleton Clerk.

Proclamation being made the court is opened.

On motion first made to the court in this behalf by Mr Assistant Attorney General Talbot it is ordered that J. D. Reed, Esquire of Richmond State of Virginia, be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr Attorney General A Kerman, it is ordered that Henry L. Capers Esquire of Savannah State of Georgia be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the court in this behalf by Mr J. M. Hoar worth it is ordered that Daniel Dr. Gillett Esquire of New York City be admitted to practice as an attorney & counsellor of this Court and he was sworn accordingly.

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280 The United States vs. Appellants. / James O'Keefe. | The argument of this cause was commenced by Mr Attorney General A Kerman of Counsel for the appellant, continued by

Mr J. J. Reed, and Mr Thomas Nelson of counsel for the appellee, and concluded by Mr Assistant Attorney General Talbot for the appellant.

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109. Samuel E. Rankin vs. The State of Tennessee, Plff in Error. | This cause was argued by Mr Horace Maynard of counsel for the plaintiff in error. No counsel appearing for the defendant in error.

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110. Moses A. Mader et al. vs. Charles E. Norton, Appellants. | This cause was argued by Mr W. G. M. Davis of counsel for the appellants and submitted on printed argument by Mr W. M. Stewart of counsel for the appellee.

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111 Robert Shields et al. vs. Aaron Root. Appellants | Appeal from the Circuit Court of the United States for the District of Nebraska.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Nebraska, and it appearing to the court that this is the second term at which this case has been called for argument, and that neither party is now prepared to argue the same. It is considered by the court that this cause should be dismissed at the costs of the appellants, pursuant to the 19th rule of this court. Whereupon it is now here ordered adjudged and decreed by this that this appeal be, and the same is hereby dismissed with costs. And that this cause be, and the same

is hereby remanded to the said Circuit Court, to be proceeded in according to law and justice.

per Mr Justice Clifford

Robert Barth et al. vs. Plffs. in error. William H. Clise.

Ordered by the Court that this cause be, and the same is hereby passed for the present.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Wednesday March 22nd 1871.

Pursuant to adjournment the court met this morning at the Capitol.

Present.

The Honorable Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
William Strong
Joseph P. Bradley
} Associate Justices.

Richard C. Parsons Esquire Marshal
Daniel Wesley Middleton Clerk.

Proclamation being made the court is opened.

On motion first made to the court in this behalf by Mr James Grant it is ordered that Hyllel P. Colton Esquire of Lyons State of Iowa be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

On motion first made to the court in this behalf by Mr James D. K.

Carlisle, it is ordered that Thomas M. North, Esquire of New York City, be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

William H. Rodgers vs. Plff. in error. People of Montana Ter. et al.

Mr Trumbull moved the court to set aside the order dismissing the writ of error in this cause, and for leave to file the record and docket the case, to which Mr Bristow of counsel for the defendants in error did not assent. but would not oppose the motion. Whereupon this court not being now here sufficiently advised of, and concerning what order to render in the premises took time to consider.

The Galveston Houston & Henderson R.R.Co. vs. N. A. Cowdrey dal. and N. A. Cowdrey et al. vs The Galveston and Houston Junction Railroad Company.

119. Appellants.

217. Appellants.

The argument of the appeals and cross appeals in these causes was commenced by Mr James Grant of Counsel for the complainants, and continued by Mr C.B Goodrich of Counsel for the defendants.

Proclamation being made, the Court is adjourned until tomorrow morning at eleven o'clock.

Thursday March 23rd 1871.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
William Strong
Joseph P. Bradley
} Associate Justices.

Richard C. Parsons Esquire Marshal
Daniel Wesley Middleton Clerk.

Proclamation being made the court is opened.

On motion first made to the court in this behalf by Hon S. S. Cox. it is ordered that Charles A. Fowler Esquire of Kingston State of New York, be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

The Galveston Houston and Henderson Railroad Company.
119. vs. Appellants.
N. A. Cowdrey et al.
and
N. A. Cowdrey et al.
212. vs. Appellants
The Galveston & Houston Junction Railroad Co

The argument of the appeal and cross appeal in these cases was continued by R. R. Curtis of counsel for the defendants, and concluded by Mr W. G. Hale of counsel for the complainants.

The City of New Albany.
115 vs. Appellant
John P. Putnam et al

The argument of this cause was commenced by Mr T. A. Hendricks of counsel for the appellant.

Proclamation being made, the court is adjourned until tomorrow morning at eleven o'clock.

Friday March 24th 1871.

Pursuant to adjournment the court met this morning at the Capitol

Present.

The Honorable Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
William Strong
Joseph P. Bradley
} Associate Justices

Richard C. Parsons Esquire Marshal
Daniel Wesley Middleton Clerk.

Proclamation being made, the court is opened

On motion first made to the court in this behalf by Mr Philip Phillips it is ordered that E. H. Grandin Esquire of Mobile State of Alabama, be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

On motion first made to the court

in this behalf by Hon J. C. Howe, it is ordered that Willard Merrill Esquire of Janesville State of Wisconsin be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

Samuel Kail et al. Plffs. in error.
394 DS. 67. vs.
Ira P. Wetmore
and
Samuel Kail et al.
394 DS. 67. vs. Plffs. in error.
Dewitt C. Douglass

On the motion of Mr Doolittle in behalf of Mr Garnon, Counsel for the plaintiffs in error, it is now here ordered by the court that leave be, and the same is hereby granted him to withdraw the transcripts of the records in these cases, from the files of this court, by leaving with the Clerk a receipt for the same.

James S. French vs Samuel M. Shoemaker. | Ordered by the Court that the motion of Mr F. P. Stanton for a writ of supersedeas, in this cause be, and the same is hereby set down for argument on Friday next the 31st instant.

365

James S. French vs Samuel M. Shoemaker | Mr George W. Brent files motion to dismiss this appeal, which is hereby ordered by the Court to be set down for argument on Friday next the 31st instant.

365.

James Bigler vs Appellant, Wm. Waterstal. | The argument of the motion to dismiss this cause was commenced by Mr C. Robinson in support thereof, continued by Mr W. P. Hallingly in opposition thereto & concluded by Mr Robinson in favor of the motion - Whereupon this Court not being now sufficiently advised of & concerning what order to render in the premises, but taking the same to consideration

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John Greer and Maria Louisa Greer, his wife et al. vs. Soledad Ortega, De Arguello et al. 194. Pffs. in error.

The motion filed by Mr. Janin to dismiss this writ of error was argued by him in support thereof, and by Mr. E. Gold in opposition thereto.

John Greer, and Maria Louisa Greer his wife, Manuela Coppinger, Jas Morrison, Joseph B. Crockett, Alexander P. Crittenden, and Dennis Martin vs. Soledad Ortega De Arguello Jose Ramon Arguello, and S. M. Mezes. 1911. Plaintiffs in error.

In error to the Supreme Court of the State of California

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of California, and on the motion

of Mr Jarvis to dismiss this cause was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this court that the writ of error in this cause be, and the same is hereby dismissed with costs. per Mr Justice Clifford

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John Greer, and Maria Louisa Greer his wife et al vs. Plffs. in Error,
1911 S. Ortega, de Arguello et al

Ordered by the court that leave be, and the same is hereby granted the plaintiffs in error to withdraw the transcript of the record from the files of this court, by leaving with the clerk, a receipt for the same.

The Mayor, Aldermen and Common Council of Mobile
136 vs. Plffs. in error,
W. E. Severich et al

Mr J. M. Carlisle of counsel for the plaintiffs in error having

filed and read in open court a suggestion of a diminution of the record in this cause in the words and figures following to wit:

The order of the court setting the said cause for hearing, which order is in the following words viz:

"In this cause the plaintiffs come by their attorneys and file exceptions to certain portions of the answer, and upon argument of counsel, the court is of the opinion that the exceptions should be sustained which is accordingly done, and the cause is set for hearing tomorrow morning on the bill answer and exhibits."

By reason of which omission aforesaid the said counsel now here moved the court to award a writ of certiorari to be directed to the judges of the Circuit Court of the United States for the District

of Alabama, commanding them that searching the records and proceedings of said court in this cause, they shall certify to this court, under the seal of the said Circuit Court, whatever omissions shall be found. On consideration whereof it is now here ordered and adjudged by this court that a writ of certiorari be, and the same is hereby awarded to be issued forthwith and to be directed to the Judges of the Circuit Court of the United States for the District of Alabama, commanding them that searching the record and proceedings aforesaid, they forthwith certify to this court under the seal of the said Circuit Court whatever omissions shall be found, in this cause, and return the same with the said writ of certiorari forthwith to this court.

per Mr Justice Clifford

1103 Samuel G. Wheeler Jr. vs. Appellant. George Harris et al

The motion to dismiss this appeal was submitted to the consideration of the court, on printed argument by Mr Donohue of counsel for the appellees, with leave to counsel for the appellant to file brief on or before Friday next the 31st instant, and also leave to Mr Donohue to file reply brief thereto by same day.

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115. The City of New Albany vs. Appellant. John P. Putnam et al.

The argument of this cause was concluded by Mr T. A. Hendricks of counsel for the appellant and submitted on printed argument by Mr A. G. Porter of counsel for the appellees.

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116. Chester C. Samson et al. vs. Plffs. in error. John A. Smiley.

Ordered by the Court that this

cause be, and the same is hereby post-poned for the present.

117	Alexander S. Baker vs. Appellant, Wm S. T. Morton.	This cause was argued by Mr J. M. Woolworth of counsel for the appellee, and submitted on printed argument by Mr J. J. Reddick of counsel for the appellant.

118.	James N. Johnson et al. vs. Plaintiffs in Error. John M. Towsley.	The argument of this cause was commenced by Mr S. Trumbull of counsel for the plaintiffs in error, and continued by Mr J. M. Woolworth of counsel for the defendant in error.

Proclamation being made the Court is adjourned until Monday morning next at eleven o'clock.

Monday March 27th 1871.

Pursuant to adjournment the Court met this morning at the Capitol

Present.

The Honorable Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
William Strong
Joseph P. Bradley
} Associate Justices.

Richard C. Parsons Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the court is opened.

On motion first made to the court in this behalf by Mr J. Hubley Ashton it is ordered that F. C. Parsons Coleman Esquire of New York City be admitted to practice as an attorney and Counsellor of this court and he was sworn accordingly.

1107	The Home Insurance Co. vs. Thomas H. Gardenier Com'r of Treasurer of Kings County.	In Error to the Supreme Court of the State of New York

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of New York, being possessed of the record and proceedings upon a remittitur from the Court of Appeals of the State of New York, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this court that the writ of error in this cause be, and the same is hereby dismissed with costs.

per Mr Justice Bradley.

3574	The New England Mutual Marine Insurance Compy vs. Thomas Dunham.	On a Certificate of division in opinion

between the Judges of the Circuit Court of the United States for the District of Massachusetts.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts and on the point or question on which the Judges of the said Circuit Court were opposed in opinion and which was certified to this court for its opinion agreeably to the act of Congress in such case made and provided, and was argued by counsel. On consideration whereof, it is the opinion of this court that the District Court of the United States for the District of Massachusetts sitting in admiralty has jurisdiction to entertain the libel in this cause. Whereupon it is now here ordered

107	The Home Insurance Co. vs. Thomas A. Gardiner Com by Treasurer of Kings County.	In Error to the Supreme Court of the State of New York.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of New York, being possessed of the record and proceedings upon a remittitur from the Court of Appeals of the State of New York, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this court that the writ of error in this cause be, and the same is hereby dismissed with costs.

per Mr Justice Bradley.

554	The New England Mutual Marine Insurance Compy vs. Thomas Dunham.	On a Certificate of division in opinion

between the Judges of the Circuit Court of the United States for the District of Massachusetts.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts and on the point or question on which the Judges of the said Circuit Court, were opposed in opinion and which was certified to this court for its opinion agreeably to the act of Congress in such case made and provided, and was argued by Counsel. On consideration whereof, it is the opinion of this court that the District Court of the United States for the District of Massachusetts sitting in admiralty has jurisdiction to entertain the libel in this cause. Whereupon it is now here ordered

adjudged and decreed by this court, that it be so certified to the said Circuit Court.

per Mr Justice Bradley.

The Steamship "Fannie" The Baltimore and Savannah Steamship Company. Claimants. Appellants. vs. The Schooner "Ellen Forrester" Daniel H. Lewis et al. Claimants. } Appeal from the Circuit Court of the United States for the District of Maryland

106.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maryland, and was argued by counsel. On consideration whereof, it is now here ordered adjudged and decreed by this court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with

costs and interest until paid at the same rate per annum that decrees bear in the courts of the State of Maryland.

per Mr Justice Strong.

The State of Missouri Complainant,
vs.
The State of Kentucky.

This cause came on to be heard on the bill and answer, and was argued by counsel - On consideration whereof, it is the opinion of this court that the State of Missouri has no just claim to the possession of Wolf Island - It is therefore ordered adjudged and decreed by this court, that the bill be dismissed - And it is further considered and decreed by the court that the defendant do have & recover from the complainant the costs of this suit to be taxed by the clerk.

per Mr Justice Davis

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99. Samuel C. Smith vs. Plff. in Error, The County of Sac, in the State of Iowa. | In error to the Circuit Court of the United States for the Dis.

trict of Iowa.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Iowa, and was argued by counsel. On consideration whereof, it is now here ordered & adjudged by this court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

Dissenting: per Mr justice Miller.
Mr Justice Clifford
" " Strong.

78. James Farr junior vs. Plaintiff. George A. Thomson, Ackus P. Dutton, L. H. Coleman, Norman Clarke, John Vaughan, Homer Glass, Ira C. Paine, John Anderson, John Reedy Silas G. Fish, & Wm. Barwick. Defendants.

On a certificate of division in opinion between the Judges of the Circuit Court of the United States for the District of Wisconsin.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Wisconsin, and on the point or question on which the judges of the said Circuit Court were opposed in opinion, and which was certified to this court for its opinion, agreeably to the act of Congress in such case made and provided and was argued by counsel. On consideration whereof, it is the opinion of this court

that the question certified must be answered in the affirmative. Whereupon it is now here ordered and adjudged by this court, that it be so certified to the Circuit Court of the United States for the Eastern District of Wisconsin.

per Mr Justice Swayne

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93 Henry Army vs. Pfiffner et al. In error to the Circuit Court of the United States for the District of Iowa.

John Buckholder, Herman Metzgar, Edmund Jones, Benjamin Van Dyke, John Bryson, Julius Clark, William Wolverton, John Ingham, John M. Barnes, J. C. Rankin, Robert Kendall & Fred Kozer.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Iowa, and was argued by counsel. On consider-

tion whereof, it is now here ordered and adjudged by this court that the judgment of the said Circuit Court, in this cause be, and the same is hereby reversed with costs. And that this cause &c, and the same is hereby remanded to the said Circuit Court, for further proceedings to be had therein in conformity with the opinion of this court.

per Mr Justice Swayne

Louis F. Generes
100. vs. Pltff. in Error,
Walter L. Campbell

In error to the Circuit Court of the United States for the District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States, for the District of Louisiana, and was argued by counsel. On consideration whereof, it is now

here ordered and adjudged by this court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the courts of the State of Louisiana.

per Mr Justice Swayne.

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352. James Bigler vs William Miller, et al. | On consideration of the motion of Mr C. Robinson, it is now here ordered by the court that the appeal in this cause be dismissed with costs, unless the appellant file a sufficient appeal bond in ten days from this date.

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320. Wm H. Rogers vs The People of the Territory of Montana ex rel J. L. Fisk et al. | On consideration of the motion filed by Mr Trumbull of counsel for the

plaintiff in error to rescind & annul the order of dismissal entered in this cause, on the 6th instant, and for leave to docket said cause. it is now here ordered by the Court that said motion be, and the same is hereby granted upon payment of costs by the plaintiff in error.

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118 John M. Johnson et al. vs. Plffs. in error. John M. Tousley. | The argument of this cause was continued by Mr J. M. Woolworth of counsel for the defendant in error and by Mr L. Trumbull of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock A.

Tuesday March 28th 1871.

Pursuant to adjournment the Court met this morning at the Capitol.

Present:

The Honorable Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
William Strong
Joseph P. Bradley
} Associate Justices.

Richard C. Parsons Esquire Marshal.
Daniel Wesley Middleton Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr W. W. Boyce, it is ordered that Samuel Newell Esquire Esquire of New York City State of New York be admitted to practice as an attorney and counsellor of this Court She was sworn accordingly.

On motion first made to the Court in this behalf by Mr Solicitor Gen-

eral Bristow, it is ordered that Nathaniel A. Prentiss Esquire of New York City State of New York, be admitted to practice as an attorney & counsellor of this Court and he was sworn accordingly.

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253. Two Hundred and Seven half pound papers Smoking Tobacco. Bridwell et al. Claimants &c. Plffs. in error. vs. The United States.

On the motion of Mr M. H. Carpenter, it is now here ordered by the court that leave be, and the same is hereby granted him to withdraw his appearance, as counsel for the Plff. in error in this cause.

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118. John M. Johnson et al. Plffs. in Error. vs. John M. Towsley.

The argument of this cause was concluded by Mr Trumbull of counsel for the plaintiffs in error.

Tuesday March 28th 1871.

Pursuant to adjournment the Court met this morning at the Capitol.

Present:

The Honorable Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
William Strong
Joseph P. Bradley
} Associate Justices.

Richard C. Parsons Esquire Marshal.
Daniel Wesley Middleton Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr W. H. Royce, it is ordered that Samuel Newell Esquire Esquire of New York City State of New York be admitted to practice as an attorney and counsellor of this Court. He was sworn accordingly.

On motion first made to the Court in this behalf by Mr Solicitor Gen-

eral Bristow, it is ordered that Nathaniel A. Prentiss Esquire of New York City State of New York, be admitted to practice as an attorney & counsellor of this Court and he was sworn accordingly.

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253. Two Hundred and Seven half pound papers Smoking Tobacco. Brainard et al, Clmts vs. Plffs. in error. The United States.

On the motion of Mr M. H. Carpenter, it is now here ordered by the court that leave be, and the same is hereby granted him to withdraw his appearance, as counsel for the Plff. in error in this cause.

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118. John M Johnson et al vs Plffs. in Error. John M Towsley.

The argument of this cause was concluded by Mr Trumbull of counsel for the plaintiffs in error.

531.	Andrew J. Davis vs. Piff. in error. John Bilsland.	Mr Nathaniel Wilson of counsel for the defendants in error.

having filed and read in open court, the following certificate to wit:

"In the Supreme Court of Montana Territory August Term thereof, A. D. 1870.

John Bilsland - Plaintiff & Respondent

against

G. Jules Germain, Charles Dahler, Andrew J. Davis, Henry Wyttenbach, Burns & Arnold Singer & McBurney, Mason & Duke, John Burnes, W. W. Arnold, R. S. Hale, Parchen & Paynter, William P. Wilder, John A. Murphy, Samuel Davenport, John Shively, Daniel B. Dressler, C. L. Curry, Thomas Conrad, A. G. Clark, J. Johnstonden

Defendants and Appellants.

I J. B Allen Clerk of the Supreme Court of Montana Territory do hereby certify that on the 15th. day of Novem-

ber A.D. 1870 at a regular term of said Court, a decree was rendered in the above entitled cause on appeal, modifying the judgment of the Court below by striking out that portion ordering the sale of the property to satisfy law. That afterwards to wit on the 21st day of November A.D. 1870. Andrew J. Davis one of the above named defendants sued out an appeal from the said decree to the Supreme Court of the United States, and filed his writ of error therein with the undersigned Clerk; that on the same day, the said defendant Davis filed with the undersigned his undertaking on appeal in the sum of one thousand dollars, that afterwards, on the 28th day of November A.D. 1870; the said Davis perfected his said appeal by filing with the undersigned Clerk, his citation duly served.

In testimony whereof

I have hereunto set my hand, and affixed the seal of the Supreme Court of Montana Territory, at Virginia City in said Territory, this 10th. day of March A. D. 1871.

Seal

J. R. Alden
Clerk.

and having stated to the Court that the plaintiff in error had altogether failed to file the record of said cause in this Court, or in anyway to prosecute said writ of error. now here moved the Court in pursuance of the 9th. rule of this Court to have this writ of error docketed & dismissed On consideration whereof, it is now here ordered and adjudged by this Court, that this writ of error from the Supreme Court of Montana Territory be, and the same is hereby docketed and dismissed with Costs. And that this cause be, and the same is hereby remand-

ed to the said Supreme Court for further proceedings to be had therein, in conformity to law & justice, the said writ of error notwithstanding.

Per Mr Justice Clifford.

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113. Seth H. Manchester, Appellants, vs. The Rock Island Bank. | This cause was argued by Mr T. Wilson of counsel for the appellants - No counsel appearing for the appellee.

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121 The United States, Plff in error, vs. G. B. Wright, et al. | This cause was argued by the Solicitor General Bristow of counsel for the plaintiff in error. No counsel appearing for the defendant in error.

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122. Cornelius Bramard Collr &c, Plff in Error, vs. Henry G. Hubbard and | Ordered by the Court that the

	The New Orleans, Opelousas, & Great Western R.R. Co.	Causes, & the same are
123.	vs. Pffs. in error,	hereby passed
	Charles Morgan,	for the present.

	John H. Harrington, Admr &c.	The argument of these
124.	vs. Pffs. in Error,	Cases was com-
	The United States.	menced
	and	by Mr
	Joseph A. Boyden Admr &c.	R. A. G.
125.	vs. Pffs. in Error.	
	The United States.	

Morse Jr. of counsel for the plaintiffs in error, and continued by Mr Assistant Attorney General Hill and Mr Solicitor General Bristow of counsel for the defendants in error and concluded by Mr R. H. Morse Junior, for the plaintiffs in error.

Proclamation being made, the Court is adjourned until tomorrow morning at eleven o'clock.

Wednesday March 29th 1871

Pursuant to adjournment the court met this morning at the Capitol.

Present.

The Honorable Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
William Strong &
Joseph P. Bradley.
} Associate Justices.

Richard C. Parsons Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the court is opened.

On motion first made to the court in this behalf by Mr P. Phillips it is ordered that Charles H. Woodruff, Esquire of New York City, be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

P. H. Morgan et al		On the motion
218 vs.	Appellants.	of Mr Cushing
John Thornhill et al.		and consent
		of Mr Phillips

it is now here ordered by the court that leave be and the same is hereby granted the clerk to issue the mandate in this cause.

The New Orleans, Opelousas & Great Western		The argument of this
Railroad Company.		cause was
123 vs.	Pl'ffs in error.	commenced
Charles Morgan.		by Mr Duncan G.

Campbell, of counsel for the plaintiff in error, continued by Mr Miles Taylor, and Mr T. A. Jenckes of counsel for the defendant in error, and by Mr P. Phillips of counsel for the plaintiffs in error.

Proclamation being made, the court is adjourned until to-morrow morning at eleven o'clock.

Thursday March 30th 1871.

Pursuant to adjournment the Court met this morning at the Capitol.

Present,

The Honorable Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
William Strong
Joseph P. Bradley
} Associate Justices

Richard C. Parsons Esquire Marshal
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr P. Phillips it is ordered that N. H. Hill Esquire of Dunkirk State of New York, and Miles A. Whitney Esquire of Buffalo, State of New York be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the court in this behalf by Mr Assistant Attorney General Talbot, it is ordered that Peter J. Gage Esquire of New York City be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

54.	George M. Barnard vs. Pfff, in error, E. N. Kellogg et al.	On motion of Mr Perkins and consent of Mr Shipman, it is ordered that leave be granted the clerk to issue the mandate in this cause.

123.	The New Orleans (Opelousas and Great Western R. R. Co. vs. Pfff, in error, Charles Morgan.	The argument of this cause was concluded by Mr P. Phillips of counsel for the plaintiffs in error.

Thursday March 30th 1871 contd

Cornelius Brainard Collector &c.	The argument of this cause was commenced by
122. vs Plaintiff in error.	
Henry G Hubbard.	

Mr Solicitor General Bristow of counsel for the plaintiff in error continued by Mr C. E. Perkins of counsel for the defendant in error. The court declined to hear further argument on the part of the plaintiff in error.

The Hartford Fire Insurance Company.	This cause was submitted to the consideration
126. vs Plaintiff in error.	
Shaw & Galen Spencer.	

of the court on the record and printed argument by Mr C. F. Peck of counsel for the plaintiff in error, and by Mr James Hughes for the defendant in error.

127	Dunlop Monroe & Co. et ab vs James E. Yeuds.	Plaintiffs in err.

The argument of this Cause was commenced by Mr P. Phillips of counsel for the plaintiffs in error.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Friday March 31st 1871.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
William Strong
Joseph P. Bradley
} Associate Justices.

Richard C. Parsons Esqure Marshal
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

State of Texas Complainant)
vs.
Geo. Peabody's Exrs et al

Mr Durand submitted motion for leave to file supplemental bill in this cause. Whereupon this Court not being now sufficiently advised of, and concerning what order to render in the premises took time to consider.

	Two Hundred and seven half pound papers Smoking Tobacco Bonded Whsl. Cmts.	On motion of Mr Butler, leave is hereby granted him to
253	vs. Pff. in error.	
	The United States.	

appear as counsel for the plaintiff in error, in this cause, and to argue the same on next Monday week

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	James L. French	The argument
365.	vs Appellant	of the motion
	Samuel M. Shoemaker	for a super-

sedeas, and the motion to dismiss this appeal was commenced by Mr F. P. Stanton in support of the motion for a supersedeas, continued by Mr George H. Bent, and Mr R. T. Merrick in opposition to the motion for a supersedeas, and in support of the motion to dismiss the appeal, and concluded by Mr Stanton in favor of the motion

for a supersedeas, and in opposition to the motion to dismiss.

	Franklin Moore, George Foote, & George F. Bagley	In error to the Circuit Court of the United States for the Eastern District of Michigan.
508.	vs. Pff's. in error.	
	F. C. Driggs, assignee in bankruptcy of Wm Cram Tonkin and William Trenwarth.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Michigan, and on the stipulation of counsel on file, and motion of Mr Sutherland of counsel for defendant, in error, it is now here ordered and adjudged by this court, that the writ of error in this cause be, and the same is hereby dismissed with costs per Mr Justice Clifford.

127	Dunlop, Monroe & Co. etal. vs James E. Lunds.	The argument of this cause was continued by Mr J. J. Durant of counsel for the defendant in error.

Proclamation being made the Court is adjourned until Monday morning next at eleven o'clock.

Monday April 3rd 1871.

Pursuant to adjournment the Court met this morning at the Capitol

Present.

The Honorable Samuel Nelson
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices

Richard C. Parsons Esquire, Marshal
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

The Ship "Sapphire" &c. G. C. Trueyant, and J. R. Tibbetts - Claimants. vs. Napoleon III Emperor of the French. - Appellants.

132.

Appeal from the Circuit Court of the United States for the District of California

This cause came on to be heard

on the transcript of the record from the Circuit Court of the United States for the District of California, and was argued by counsel. On consideration whereof, it is now here ordered adjudged and decreed by this court, that the decree of the said Circuit Court in this cause be, and the same is hereby reversed with costs. and that this cause be, and the same is hereby remanded to the said Circuit Court with directions to enter a decree in conformity with the opinion of this Court.

per Mr Justice Bradley.

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21. Nathaniel M. Paige Executor of Samuel Miller deceased. pltf. in error. vs. The United States.

In error to the Circuit Court of the United States for the Eastern District of Michigan.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Michigan, and was argued by counsel. On consideration whereof, it is now here ordered, and adjudged by this court that the judgment of the said Circuit Court in this cause, be, and the same is hereby affirmed.
Dissenting: per Mr Justice Strong.
Mr Justice Field,
" " Davis.
" " Clifford

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94 The Philadelphia, Wilmington & Balt. R.R.Co. vs. Pfts. in error, John Dubois | In error to the Circuit Court of the United States, for the District of Maryland

This cause came on to be heard on the transcript of the record

from the Circuit Court of the United States, for the District of Maryland, and was argued by Counsel. On consideration whereof, it is now here ordered & adjudged by this court, that the judgment of the said Circuit Court, in this cause be, & the same is hereby affirmed with costs, and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Maryland.

per Mr Justice Strong.

250.	The United States vs. James O'Keefe.	Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, it is now here ordered adjudged and decreed by this court that the decree of the said Court of

Claims in this cause be, and the same is hereby affirmed.
Per Mr Justice Davis.

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105. E. Case, Receiver of the First National Bank of New Orleans and N.T. Hulburd, comptroller of the Currency of the U.S. vs. Appellants. A. Fernell & Co. F. Bauer, Et al Creditors of the 1st. National Bank of New Orleans.

Appeal from the Circuit Court of the United States for the District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States, for the District of Louisiana, and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said,

Circuit Court, in this cause, be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court, with directions to dismiss the bill.

per Mr Justice Miller.

Alexander H. Baker, Appellant, vs. Wm. S. T. Morton. | Appeal from the Circuit Court of the United States, for the District of Nebraska.

117.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Nebraska, and was argued by counsel. On consideration whereof, it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby reversed with costs. And that this cause

be, and the same is hereby remanded to the said Circuit Court with directions to enter a decree for the appellant in conformity the opinion of this Court.

Per Mr Justice Clifford

James Buffington, late Collector of Internal Revenue. vs. Joseph N. Day. | In error to the Circuit Court of the United States, for the District of Massachusetts.

329

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and was argued by Counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court, in this cause be, and the same is hereby affirmed with costs per Mr Justice Nelson. Dissenting Mr Justice Bradley

Circuit Court, in this cause, be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court, with directions to dismiss the bill

per Mr Justice Miller.

Alexander H. Baker, Appellant, vs Wm S. T. Morton. | Appeal from the Circuit Court of the United States, for the District of Nebraska.

117.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Nebraska, and was argued by counsel. On consideration whereof, it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby reversed with costs. And that this cause

be, and the same is hereby remanded to the said Circuit Court with directions to enter a decree for the appellant in conformity the opinion of this court.

per Mr Justice Clifford

James Buffington late Collector of Internal Revenue.
329 vs. Plaintiff in error.
Joseph M. Day.

In error to the Circuit Court of the United States for the District of Massachusetts.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said Circuit Court, in this cause be, and the same is hereby affirmed with costs per Mr Jus Nelson. Dissenting Mr Justice Bradley

The State of Texas 6 orig: vs. Complainants, Sic Peabody Exrs et al.	On consideration of the motion submitted by Mr Durant for leave to file supplemental bill in this cause it is now here ordered by the Court that said motion be, and the same is hereby granted.

The United States 156 vs. Appellants, John A. Kerr, surviving Admr &c. and J. F. Pargoud 208. vs. Appellant, The United States.	Ordered by the Court that these causes be re-assigned for argument, on Thursday the thirteenth instant.

Order

Ch Justice Clifford announced to the Bar that the Court will adjourn on Monday the first of May next to Monday the 16th day of October 1871. - and also an-

nounced that next Friday being good Friday the Court will not sit on that day but will adjourn over from Thursday to Monday next.

12/ Dunlop Moncure & Co. et al. vs. Stiffs. in error James E. Yeats. | The ar... gument of this cause...

was continued by Mr Conway Robinson of Counsel for the plaintiffs in error.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Tuesday April 4th 1871.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Nathan Clifford
Noah H. Swayne.
Samuel F. Miller
David Davis
William Strong
Joseph P. Bradley
} Associate Justices.

Richard C. Parsons Esquire, Marshal
Daniel Ashley Middleton Clerk

Proclamation being made the Court is opened.

Mr Justice Clifford announced to the bar, that no arguments would be heard in any case during the week previous to the adjournment on the 1st of May next.

Dunlop, Moore & al. vs James E. Lewis. In Error.

127

The argument of this cause was con-

cluded by Mr Conway Robinson of counsel for the plaintiffs in error.

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128. John J. Simmes adm.ts vs The City Fire Insurance Company of Hartford. | Ordered by the Court that this Cause be and the same is hereby continued to the next term. (Consent of counsel for the respective parties.)

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129. The United States, vs. Piffs. in Error, J. H. Henderson & Co. Claimants of 556 Caddies of Tobacco. | This cause was submitted to the consideration of the Court on the record and printed arguments by Mr Attorney General Akerman, and Mr Assistant Attorney General Hall of counsel for the plaintiffs in error, and by Mr George H. McCrary of counsel for the defendants in error.

130 The Howard Fire Insur Co. vs Piff. in Error, The Norwich and New York Transportation Company. And

131 The Hudson River Insur Co. vs Piff. in Error The Norwich and New York Transportation Company.

The argument of these causes was commenced by Mr J. E. Carter of counsel for the plaintiffs in error and continued by Mr Joseph Kelsey of counsel for the defendants in error.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Wednesday April 5th 1871.

Pursuant to adjournment the court met this morning at the Capitol.

Present.

The Honorable Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
William Strong
Joseph P. Bradley
} Associate Justices

Richard C. Parsons Esquire Marshal
Daniel Wesley Middleton Clerk

Proclamation being made the court is opened.

On motion first made to the court in this behalf by Mr Charles A Peabody it is ordered that M. M. Vail Esquire of New York City be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the court

in this behalf by Hon Eugene Casserly it is ordered that C H. Kendall Esqure of Hamilton State of Nevada, be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

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219 The United States. vs. Seth Howell. Plaintiffs

This cause was submitted to the consideration of the court on the record & printed argument by Mr Solicitor General Bristow of counsel for the plaintiffs, and by Seth Howell the defendant

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130 The Howard Fire Insce Co. vs. Piff in Error.
The Norwich & New York Transportation Company.

and

131 N. Western Mass. Insce Co. vs. Piff. in Error,
The Norwich and New York Transportation Company.

The argument of these causes was continued by Mr Jeremiah Halsey, and Mr J. A.

Hovey of counsel for the defendants in error, and concluded by Mr Hall of counsel for the plaintiffs in error.

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133. The United States vs. John F. Tilley et al. Plaintiffs in error

The argument of this cause was commenced by Mr Assistant Attorney General Hill, of counsel for the plaintiffs in error, and continued by Mr Tazwell Taylor of counsel for the defendant in error,

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Proclamation being made the court is adjourned until tomorrow morning at eleven o'clock.

Thursday April 6th 1871.

Pursuant to adjournment the court met this morning at the Capitol.

Present.

The Honorable Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
William Strong
Joseph P. Bradley.
} Associate Justices

Richard C. Parsons Esquire, Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the court is opened.

On motion first made to the court in this behalf by Hon B. C. Cook, it is ordered that Emory A. Storrs Esquire of Chicago State of Illinois be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

On motion first made to the court in this behalf by Hon Joseph Casey,

it is ordered that James DeJong, Esquire of Cambridge State of Ohio, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

1497 The United States vs. Appellants / Wm. Wheeler Hubbell and / William Wheeler Hubbell, 1498 vs. Appellant / The United States.

Mr Assistant Attorney General Talbot filed motion to remand the record in these cases to the Court of Claims for other findings, or for the evidence taken therein.

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6 Aug: The State of Texas vs. Complainant / Geo. Peabody's Exrs et al.

Ordered by the court that subpoenas issue in this cause to Robert Singleton Peabody and Charles H. Chandler, Co-executors with

George P. Royal Executor of George Peabody deceased, as prayed by Mr Durant in supplemental bill

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133. The United States vs. Pfff. in Error. John F. Riley et al.

The argument of this cause was continued by Mr Tazwell Taylor of counsel for the defendant in error, and concluded by Mr Solicitor General Bristow of counsel for the plaintiff in error.

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145. John Martin et al. Admrs. vs. Appellants. The Northern Transportation Company et al.

On the motion of Mr Phillips in behalf of the counsel in this case, it is ordered that leave be, and the same is hereby granted the Clerk to issue the mandate in this cause.

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134. The City of St Louis vs. Plff in Error, The Higgins Ferry Co. | This cause was argued by Mr F. H. Dick of Counsel for the defendant in error, and submitted on printed argument by Mr J. M. Krum, of Counsel for the plaintiff in error.

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135. The Home Insurance Co vs. Plff in Error, Chas. T. Jos. P. Teide. | No argument of this cause was commenced by Mr E. A. Storrs of Counsel for the plaintiff in error, continued by Mr W. H. Dotham of Counsel for the defendant in Error, & concluded by Mr Storrs for the plaintiff in Error.

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137 Seth Deering & E Graham vs. Plffs. in Error David Sears Jr. et al | No cause was argued by Mr Bushing of Counsel for the Plffs in Error, No Counsel appearing for the defts in error.

138. Mr Bushing for Plffs in Error, David Sears Jr & Et al

Proclamation being made the Court is adjourned until Monday Morning next at Eleven o'clock

Monday April 10th 1871.

Pursuant to adjournment the court met this morning at the Capitol.

Present.

The Honorable Nathan Clifford, Noah H. Swayne, Samuel F. Miller, David Davis, Stephen J. Field, William Strong & Joseph P. Bradley } Associate Justices.

Richard C. Parsons Esquire, Marshal.
Daniel Wesley Middleton, Clerk.

Proclamation being made the court is opened.

Samuel E. Rankin Plff. in Error. vs. The State of Tennessee.	In Error to the Supreme Court of the State of Tennessee.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Tennessee, and was argued by counsel. On consideration whereof, it

is now here ordered and adjudged by this court, that the writ of error in this cause be and the same is hereby dismissed for the want of jurisdiction.

per Mr Justice Bradley.

J. H. Harrington, claimant of 124 barrels distilled spirits. 124. vs. Plaintiff in Error, The United States. — In error to the Circuit Court of the United States for the District of Massachusetts.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and was argued by Counsel. On consideration whereof, it is now here ordered & adjudged by this court, that the judgment of the said Circuit Court in this cause be & the same is hereby affirmed. per Mr Justice Bradley.

Joseph A. Boyden Claimt.
of 151 Barrels distilled
Spirits
125 vs. Pltff. in error.
The United States.

In error
to the Cir-
cuit Court
of the Uni-
ted States
for the
District of Massachusetts.

This cause came on to be heard
on the transcript of the record from
the Circuit Court of the United States
for the District of Massachusetts,
and was argued by Counsel. On
consideration whereof it is now
here ordered and adjudged by
this Court, that the judgment
of the said Circuit Court in this
cause be, and the same is hereby
affirmed.

per Mr Justice Bradley.

115 The City of New Albany vs John Phelps Tidmarsh, Herman Ely, Herman Ely Executor of C. Arthur Ely deceased, and Stephenson Burke. | Appeal from the Circuit Court of the United States for the District of Indiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Indiana, and was argued by counsel. On consideration whereof, it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby reversed with costs and that this cause be and the same is hereby remanded to the said Circuit Court, with directions to dismiss

the complainants bill, as against the City of New Albany.

per Mr Justice Strong.

The Western Transportation Company vs. Samuel H. Downer. | Pltff. in Error. | In error to the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court with directions to

award a venire facias de novo.

per Mr Justice Field.

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120. The United States vs Plaintiffs James Lynch. | On a certificate of division in opinion between the Judges of the Circuit Court of the United States, for the District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of California and on the points or questions on which the judges of the said Circuit Court, were opposed in opinion, and which were certified to this court for its opinion agreeably to the act of Congress in such case made and provided and was argued by counsel. On consideration whereof it is the opinion of this court that no answer can be returned

to the questions certified, but that the case must be remanded to the said Circuit Court with directions to dismiss the indictment. Whereupon it is now here ordered and adjudged by this Court, that it be so certified to the said Circuit Court.

per Mr Justice Field

The First National Bank of South Bend
vs.
Charles Lanier, and Parker Kandy.

In error to the Circuit Court of the United States for the District of Indiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Indiana, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by

this court that the judgment of the said Circuit Court, in this cause be, and the same is hereby affirmed with costs, and interest must be paid at the same rate for money that similar judgments bear in the courts of the State of Indiana.

per Mr Justice Davis

Henry B. Tyler
vs
Pff. in Error,
John D. Defts.

In Error to the Supreme Court of the District of Columbia.

24.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by Counsel. On consideration whereof it is now here ordered & adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby affirmed with costs.

Dissenting:
Mr Jus. Field
" " Clifford

per Mr Jus. Miller.

(Mr Justice Davis concurred in the judgment - but not in all that is said by the Court, in its opinion.)

A. S. Stewart, and Francis Warder & Geo. Fox as A. S. Stewart & Co. vs. Pltffs. in Error. S. Bloom, S. Kahn, A. Levi, and S. Adler, as Bloom, Kahn & Co.

81. | In Error to the Supreme Court of the State of Louisiana.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana, and was argued by Counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said

Supreme Court for further proceedings to be had therein in conformity with the opinion of this court.

per Mr Justice Swayne

Richard P. Scarlett admr, of Anderson Caldwell, deceased.
3. vs. Plaintiff in Error
From W. Fuller.

In Error to the District Court of the United States, for the Western District of Arkansas.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Western District of Arkansas, and was argued by counsel. On consideration whereof, the court being Equally divided in opinion it is now here ordered & adjudged by this Court, that the judgment of the said District Court in this cause be, and the same is hereby affirmed with costs. By a divided court.

Monday April 10th 1871. Continued

Cornelius Braynard Collector of Internal Revenue vs. Henry G. Hubbard.	Plaintiff in Error.	In error to the Supreme Court of the State of Connecticut.

122.

This cause came on to be heard on the transcript of the record from the Supreme Court of Errors of the State of Connecticut, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said Supreme Court in this cause be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Supreme Court for further proceedings to be had therein in conformity with the opinion of this court.

per Mr Justice Clifford.

368. James S. French vs Appellant / Samuel M. Shoemaker. | On consideration of the motions to dismiss and for supersedeas filed in this cause and of the argument of counsel thereupon had, as well in support of as against the same, it is now here ordered by the court, that the motion to dismiss be overruled and the motion for supersedeas denied

per Mr Justice Clifford

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10 William S. Knox vs. Plff. in Error, / Phebe G. Lee et al. and / Thomas H. Parker

17. vs. Plff. in Error, / George Davis | Mr Justice Clifford announced that the majority of the court make the following order in these cases.

Ordered that Mr Potter and the Attorney General, will be heard in these cases on the twelfth instant upon the following questions.

1st. Is the act of Congress known as the legal tender act constitutional as to contracts made before its passage?

2nd. Is it valid as applicable to transactions since its passage?

Mr Potter will open. The Attorney General will reply, and Mr Potter will close.

Mr Justice Clifford dissenting.

I dissent from the order of the Court in these cases especially from that part of it which opens for re-argument the question whether the act of Congress, known as the legal tender act is constitutional as to contracts made before its passage. As I hold that that question is conclusively settled by the case of Hepburn v. Griswold 8. Wall. 603, in which the opinion was given by the Chief Justice - And I am requested to say that Mr Justice Nelson, and Mr Justice Field

concur in this dissent

Two Hundred & Seven half pound paper Smoking Tobacco etc.
E. C. Boudinot et al. Claimants
253 vs. Plaintiffs in Error
The United States.

The argument of this cause was continued by Mr B. F. Butler, of counsel for the plaintiffs in error by leave of the court granted on the 31st day of March ult.

Proclamation being made the court is adjourned until tomorrow morning at eleven o'clock.

Tuesday April 11th 1871.

Pursuant to adjournment the court met this morning at the Capitol.

Present

The Honorable Nathan Clifford
Noah H Swayne
Samuel F. Miller
David Davis
William Strong
Joseph P. Bradley
} Associate Justices.

Richard C. Parsons Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the court is opened.

On motion first made to the court in this behalf by Mr Edward Sanderson it is ordered that James K. Kelly Esquire of Portland State of Oregon be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

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20 Y. half & papers & mo Tobaccos &c.
E. C. Bouldin et al. Claimts.
vs. Plffs. in Error.
The United States

253

The argument of this cause was con-

lenged and concluded by Attorney General Akerman in behalf of the United States by leave granted.

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139. The Eureka Clothes Wringing Machine Co. vs. The Bailey Washing and Wringing Machine Company. — This cause was argued by Mr Charles Woodbury of Counsel for the appellee and submitted on printed argument by Mr J. B. Robb of counsel for the appellant.

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140. The Second National Bank of Leavenworth vs. Peff in Error, F. R. Hurd, assignee &c. — This cause was submitted to the consideration of the Court on the record and printed argument by Mr S. Ewing junior of counsel for the plaintiffs in error, and by Mr L. B. Wheat and Mr E. B.

Billings for the defendant in error.

1411.	Frederick R. Fowler et ab. vs. Peff in Error, William Rathbone et al.	The argument of this cause was commenced by Mr J. C. Carter of counsel for the plaintiff in error, continued by Mr S. P. Nash of counsel for the defendant in error, and concluded by Mr J. C. Carter of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Wednesday April 12th 1871.

Pursuant to adjournment the Court met this morning at the Capitol

Present.

The Honorable Nathan Clifford
Noah H. Swayne
Samuel F. Miller — Associate
David Davis — Justices.
William Strong
Joseph P. Bradley

Richard C. Parsons Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the court is opened.

On motion first made to the court in this behalf by Hon Clarkson N. Potter, it is ordered that George Gray Esquire of Grand Rapids State of Michigan be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

On motion first made to the court in this behalf by Hon Mall H. Carpenter, it is ordered that S. S. Barlow Esquire of Madison State of Wisconsin, and Samuel L. Boyd Esquire of St Louis State of Missouri, be admitted to practice as attorneys and counsellors of this court, and they were sworn accordingly.

On motion first made to the court in this behalf by Mr Edward Sanders it is ordered that W. W. Chapman Esquire of Portland State of Oregon be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

William B. Knox.
vs Pff. in Error,
Phebe G. Lee et al.

and

Thomas H. Parker
vs Pff. in Error.
George Davis.

Mr Justice Clifford informed the bar that Mr Justice Nelson was too unwell to attend Court

to day, that in consequence of his absence the hearing in these causes assigned for argument this morning would be further postponed, adding that notice would hereafter be given to the counsel when they could be heard.

After the announcement of the above order - Mr Justice Swayne, made the following remarks;

The further argument of this cause having been again postponed, on account of the indisposition and absence of Mr Justice Nelson, it is deemed proper by the court that a few remarks in relation to it should be submitted. The case is one of those before us involving what is known as "the legal tender question".

The other case Parker vs. Davis, was submitted upon printed briefs on the 13th of February last, and calls for no observation

except that it was reached in the regular call of the docket, is before us and ought to be disposed of as soon as may be, consistently with the due administration of justice. In the other case Mebe G. Lee and her husband recovered a judgment against Knox the plaintiff in error in the Circuit Court of the United States for the District of Iowa, at the June Term, 1867. The writ of error by which the case was brought into this court, bears date on the first of October in the same year. It was argued here before a full Court and on the 17th of November 1869. On the 30th of April 1870, it was continued and ordered to be re-argued on the first Tuesday of the ensuing December Term 1870. On the 17th of November 1870, during the fall session of this court, it having been ascertained that neither the Chief Justice nor Mr Justice Nelson

could be present at the time designated the hearing was postponed to the first Tuesday of February 1871. On the 23rd of that month the case was argued by the Counsel of the parties. All the Judges were present but the Chief Justice. The counsel on both sides admitted the validity of the legal tender acts. At the close of the argument the Hon Clarkson N. Potter asked to be heard upon the constitutional question involved in the case. The Attorney General expressed a desire to be heard also if Mr Potter were heard. These requests were taken into Conference and both promptly acceded. Several times have since been fixed for the hearing, but not publicly announced, for the reason that it was uncertain whether some of the Judges would not be necessarily absent. On Monday last

except that it was reached in the regular call of the docket, is before us and ought to be disposed of as soon as may be, consistently with the due administration of justice. In the other case Phebe G. Lee and her husband recovered a judgment against Knox the plaintiff in error in the Circuit Court of the United States for the District of Texas, at the June Term, 1867. The writ of error by which the case was brought into this court, bears date on the first of October in the same year. It was argued here before a full Court and on the 17th of November 1869. On the 30th of April 1870, it was continued and ordered to be re-argued on the first Tuesday of the ensuing December Term 1870. On the 17th of November 1870, during the fall session of this court, it having been ascertained that neither the Chief Justice nor Mr Justice Nelson

could be present at the time designated the hearing was postponed to the first Tuesday of February 1871. On the 23rd of that month the case was argued by the Counsel of the parties. All the Judges were present but the Chief Justice. The counsel on both sides admitted the validity of the legal tender acts. At the close of the argument the Hon Clarkson N. Potter asked to be heard upon the constitutional question involved in the case. The Attorney General expressed a desire to be heard also if Mr Potter were heard. These requests were taken into Conference and both promptly acceded. Several times have since been fixed for the hearing, but not publicly announced, for the reason, that it was uncertain whether some of the Judges would not be necessarily absent. On Monday last

the announcement designating to day was made. We were advised that it would suit the convenience of Mr Justice Nelson to be present. The counsel to be heard were duly notified in advance, and both have expressed themselves satisfied with the time. If the plaintiffs in error below are entitled to the fruit of their judgment, they ought not to be further delayed. Long delay involves to that extent, a denial of justice. It is due to this court and to the public, that both these cases shall be decided, and the important question which they present, be put at rest as speedily as can be done with propriety. It is to be hoped that the early restoration of the health of Mr Justice Nelson will enable us to hear the further argument, and announce our conclusions within the residue of the term.

Jacob R. Ludlow
vs. Appellant
J. G. W. Ramsey.

The argument of this cause was commenced by Mr H. Maynard of counsel for the appellant, continued by Mr E. Sanders and Mr J. W. Moore of counsel for the appellee, and concluded by Mr Maynard for the appellant.

1143. Robert Forsythe
vs. Plff in Error,
R. K. Woods, assignee, &c, of Tepon Son & Co.

The argument of this cause was commenced by Mr J. D. McPherson of counsel for the plaintiff in error, and continued by Mr E. S. Boyd of counsel for the defendant in Error.

Proclamation being made the court is adjourned until tomorrow morning at eleven o'clock.

Thursday April 13th 1871.

Pursuant to adjournment the court met this morning at the Capitol.

Present.

The Honorable Nathan Clifford
Noah H Swayne
Samuel F. Miller
David Davis
Wilson Strong
Joseph P. Bradley.
} Associate Justices.

Richard C. Parsons Esquire Marshal
Daniel Wesley Middleton Clerk.

Proclamation being made the court is opened.

On motion first made to the court on this behalf by Mr J. D. McPherson it is ordered that George F. Appleby Esquire of Washington City District of Columbia be admitted to practice as an attorney and counsellor of this court & he was sworn accordingly.

On motion first made to the court in this behalf by Mr Se-

licitor General Bristow it is ordered that A. H. Farnum Esquire of New York City be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

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156 The United States vs. Appellants
J. A. Klein, surv. gen. &c
and
208 John F. Sargood vs. Appellant,
The United States.

It is now here ordered by the Court that the argument of these causes be further postponed to Wednesday next the 19th instant.

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143 Robert Forsythe vs. Pltff in Error.
R. K. Woods, assignee &c. of Tesson Son & Co.

The argument of this cause was concluded by Mr J. D. McPherson of counsel for the pltff in error.)

1111 William K. Reed et al. Appellants
vs.
The United States.
and
The United States.
225 vs. Appellant
William K. Reed et al.

The argument of the appeal and Cross appeal in these cases was commenced by Mr William Laurence of counsel for Reed et al continued by Mr Asst. Atto-Genl Talbot and Mr Attorney Genral Akerman of counsel for the United States, and concluded by Mr Laurence for Reed et al.

The Schooner "Ocean Spray" &c
Ico Kenyield - Claimant
115 vs. Appellant;
N. C. Erlandson et al.

The argument of this cause was commenced by Mr J. J. Crittenden of counsel for the appellant.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Friday April 14th 1871.

Pursuant to adjournment the court met this morning at the Capitol.

Present

The Honorable Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
William Strong
Joseph P. Bradley
} Associate Justices

Richard C. Parsons Esquire Marshal
Daniel Wesley Middleton Clerk.

Proclamation being made the court is opened.

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178. William W. Chapman administrator. vs. Plff. in Error, William H. Delay et al.

Mr F. H. Chapman of counsel for the Plaintiff

in error having suggested the death of Lansing Stout one of the defendants in error in this cause moved the court for an order under the 15th rule of court to make the

proper representatives parties. On consideration whereof, it is now here ordered by this court that unless the proper representatives of the said Lansing Stout deceased as aforesaid shall voluntarily become parties within the first ten days of the ensuing term of this court the plaintiff in error shall be entitled to open the record in said cause, and to have the same heard and the judgment therein rendered reversed if erroneous. Provided that a copy of the order shall be printed in some newspaper at the seat of government, in which the laws of the United States shall be printed by authority for three successive weeks at least sixty days before the beginning of the term of the Supreme Court next ensuing.

Per Mr Justice Clifford

Friday April 14th 1871 Continued.

178.	Wm. M. Chapman, admr, &c. Plff. in Error, vs. Wm. K. Delay et al.	Mr Geo. H. Hill leave filed

Stipulation of counsel to continue this cause to the next term.

12069	Josiah A. Noonan Plff in Error vs. A. F. R. Bradley, admr, &c.	The argument of the motion to admit Thomas Gilpyden as administrator of John K. See deceased and that the Clerk be directed to certify to the Court below that the suit had abated under rule 15 of this court. was commenced by Mr J. S. Brown in support of the same, continued by Mr M. L. Carpenter in opposition thereto, and concluded by Mr Brown in behalf of the motion. Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

1103 | Samuel T. Wheeler Jr. vs. George Harris et al. | Appellant. | His motion to dismiss this appeal was submitted to the consideration of the court on printed arguments, by Mr Goodrich and Mr Wheeler of counsel for the appellant, and by Mr C. Donohue of counsel for the appellees.

1105 | The Schooner Ocean Spray vs. N. C. Erlandson et al. | Appellant. | The argument of this cause was continued by Mr T. T. Crittenden of counsel for the appellant, by Mr C. E. Whitehead of counsel for the appellees and concluded by Mr Crittenden for the appellant.

Friday April 14th 1871. Continued.

116	Jesse J. Cox et al vs Plffs in error Elisha B. Scott, and The Mobile Trade Co vs Plff in Error Elisha B. Scott.	These cases were argued by Mr P. Phillips of Counsel for the plaintiffs in error, and submitted on printed arguments by Mr J. A. Campbell, and Mr J Hamilton of counsel for the defendants in error.
117		

Proclamation being made the Court is adjourned until Monday morning next at eleven o'clock

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Monday April 17th 1871.

Pursuant to adjournment the court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices

Richard C. Parsons Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the court is opened

On motion first made to the court in this behalf by Mr Assistant Attorney General Hill, it is ordered that Stevenson Burke Esquire of Cleveland State of Ohio be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

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97. The Susquehanna & Wyoming Valley R. R. & Coal Company. vs. Appellants. R. M. Hatchford, and J. S. Newman, Trustees. | Appeal from the Circuit Court of the United States for the Western of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Pennsylvania, and was argued by counsel On consideration whereof, it is now here ordered adjudged and decreed by this Court ~~that~~ the decree of the said Circuit Court in this cause be and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court with directions to dismiss the bill for the want of jurisdiction

per Mr Justice Field.

121.	The United States, vs. Stiff, in Error, Gideon B. Wright, J. T. Shrode, and W. C. Knight.	In error to the Circuit Court of the United States for the Middle District of Tennessee.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Middle District of Tennessee, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this court, that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed. And that this cause be, and the same is hereby remanded to the said Circuit Court with directions to award a venire facias de novo.

per Mr Justice Davis.

Seth F. Mann and Mary H. Mann.	Appeal from the Circuit Court of the United States, for the District of Wisconsin.
113. vs. Appellants.	
The Rock Island Bank.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Wisconsin, and was argued by counsel. On consideration whereof, it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs and that this cause be, and the same is hereby remanded to the Circuit Court of the United States for the Eastern District of Wisconsin.

per Mr Justice Miller.

Dudley Monroe Hc. Kenny & Minor in his own behalf as tutor & Randolph Brand under tutor of George E. Minor, John S. Minor, Sidney Minor and Ellen T. Minor minor children, & John P. Mumford, and ~~Ellen~~ M. Mumford, as heirs and legal representatives of the said L. D. Minor deceased.

127 vs Plaintiffs in error,

James C. Zants.

In Error to the Circuit Court of the United States for the District of Louisiana

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana, and was argued by counsel. On consideration whereof, it is now here ordered & adjudged by this court, that the judgment of the said Circuit Court, in this cause be, and the same is hereby reversed with costs. And that this cause be, and the same

is hereby remanded to the said Circuit Court, for further proceedings to be had therein in conformity with the opinion of this Court.

Per Mr Justice Miller.

Moses A. Meader, Samuel Adams, Albion P. Jordon, Isaac E. Davis, Robert F. Peckham, Adam A. Kent, Thomas Courtis, Maria C. De Cadiz, alias Eugenia C. De Cadiz, Richard T. Ryan, George Pace, Richard N. Linton, George Parsons, Manuel J. Brockenback, W. W. Broughton, Anny Rice, Joquin R. Majors, Geo. Caldwell, David Caldwell, R. E. Merrill, E. Bender, & Henry Ryan. Appellants, vs. Charles E. Norton

Appeal from the Circuit Court of the United States for the District of California.

110

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States, for the District of Calif-

formas, and was argued by counsel. On consideration whereof, it is now here ordered adjudged and decreed by this court that the decree of the said Circuit Court, in this cause be, and the same is hereby affirmed with costs.

Per Mr Jus Clifford

Josiah A. Norman
v. Pltff. in error.
112 & 169 Alfred T. K. Brad
by admr &c

On consideration of the motion filed in this cause to admit Thomas L. Ogden, as administrator of John A. Lee, deceased, and that the clerk be directed to certify to the Court below that the suit had abated under rule 15 of this court. And of the argument of counsel thereupon had, as well in support of, as against said motion it is now here ordered by the court that the said motion be, and the same is hereby, denied.

Per Mr Justice Clifford

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126 The Hartford Fire Insurance Company vs. Siff, in error, Ethan Spencer, and Galen Spencer. | In error to the Circuit Court of the United States for the District of Indiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Indiana, and was argued by counsel. On consideration whereof, the court being equally divided in opinion, it is now here ordered and adjudged by this court, that the judgment of the said Circuit Court, in this cause be, and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the courts of the State of Indiana.

By a divided court

463	Samuel G. Wheeler Jr. vs. George Harris et al. Appellants.	On consideration of the motion filed to dismiss this appeal and of the argument of counsel thereupon had as well in support of as against the same it is now here ordered by the Court that the said motion be, and the same is hereby denied. per Mr Justice Clifford

119	The Galveston Houston & Henderson R.R. Co. et al. vs N. A. Cowdrey et al. Appellants	Ordered that the appeal of Rob. & Rufford and Philip C. Tucker
012	N. A. Cowdrey et al. vs The Galveston & Houston Junction R.R. Company et al Appellants.	
119½	And Robert Rufford & Philip C. Tucker, vs N. A. Cowdrey, The G. H. & H. R. R. Company and others. Appellants.	

be ordered as of the date the ruling in No 119 - already on the calender

Order of Court

The Chief Justice announced that the Reporter, having represented that owing to the number of decisions at the term it will be impracticable to put the reports in one volume - It is ordered that the Reporter publish an additional volume in this year under the act of Congress of March 2d 1867.

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145 Elijah M. Dunphy vs. J. H. Kleinschmidt et al. | Appellant | The argument of this cause was commenced by Mr L. Trumbull of Counsel for the Appellant, and continued by Mr F. A. Dick of Counsel for the appellees.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven o'clock

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Tuesday April 18th 1871.

Pursuant to adjournment, the court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase Chief Justice.

Samuel Nelson
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices.

Richard C. Parsons Esquire Marshal.

Daniel Wesley Middleton Clerk.

Proclamation being made the court is opened.

William B. Knox vs. Piff in Error. Price G. Lee et al.

and

Thomas H. Parker vs. Piff in Error George Davis.

The further argument of these cases, on points specified, was continued by Mr Clarkson N.

Potter, in opposition to the constitutionality of the law known as the legal tender act - and by Mr Attorney General Akerman in support of the law.

Proclamation being made the court is adjourned until tomorrow morning at Eleven o'clock

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Wednesday April 19th 1871

Pursuant to adjournment the court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase, Chief Justice.

Samuel Nelson
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices

Richard C. Parsons Esquire, Marshal.
Daniel Wesley Middleton, Clerk.

Proclamation being made the court is opened.

On motion first made to the court on this behalf by Mr Attorney General Akerman it is ordered that Benjamin T. Cranes Esquire of Providence State of Rhode Island be admitted to practice as an attorney and counsellor of this

court, and he was sworn accordingly.

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280. The United States vs Appellants, James O'Keefe. | On the motion of Mr Reed, it is ordered by the court, that leave be, and the same is hereby granted the clerk to issue the mandate in this cause.

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10. William B. Knox vs Piff. in err. Phebe G. Lee et al

and

17 Thomas N. Parker vs. Piff in Err, George Davis. | The argument on points specified in these cases was concluded by Mr C. N. Potter in opposition to the constitutionality of the law known as the legal tender act.

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148 Elijah M. Dunphy. vs. Appellant, J. H. Kleinschmidt et al. | The argument of this cause was continued by Mr F. A. Dick & Mr J. C. Broadhead of Counsel for the appellees & by Mr L. Trumbull of counsel for the appellant.

Proclamation being made the court is adjourned un-

Thursday April 20th 1871.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices.

Richard C. Parsons Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by P. Phillips Esquire, it is ordered that Martin W. Cooke Esquire of Rochester State of New York be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

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536. Oscar J. Averell vs Jarvis R. Smith | Tim Murlin H. Cooke having filed and read in open court the following certificate to wit.

"United States of America ss:
The President of the United States of America.
To the Judge of the Circuit Court of the United States for the Northern District of New York.
Greeting:

Because in the record and proceedings, and also in the condition of a judgment, of a plea which is in said Circuit Court before you between Jarvis R. Smith and Oscar J. Averell a manifest error hath happened to the great damage of the said Oscar J. Averell as by his plea and answer appears and it being fit that the error, if any hath been, should be duly corrected, and full and speedy justice

done to the parties aforesaid in this behalf - You are hereby commanded that if judgment be therein given that then under your seal distinctly and openly you send the record and proceedings aforesaid with all things concerning the same, to the Supreme Court of the United States of America together with this writ, so that you have the same at the City of Washington, on the first Monday of December A.D. 1870, in the said Supreme Court to be then & there held, that the record & proceedings aforesaid being inspected the said Supreme Court may cause further to be done therein to correct that error, what of right and according to the laws and customs of the United States should be done.

Witness the Honorable Salmon P. Chase, Chief Justice of the Supreme Court of the United States at the City of Washington the first Monday of December A.D. 1869.

Thursday April 20th 1871 continued

Seal.

Augustus A. Boyce
Clerk

Allowed according to the statute.
December 23. 1869.

(Sgd, N. K. Hall
U.S. Dist Judge
for the Northern
District of New York.

United States Circuit Court
Northern District of New York

I, Charles Mason clerk of said Court do hereby certify, that on the twenty-fourth day of December 1869, a writ of error was filed in the United States Clerk's office for the Northern District of New York, (allowed by Judge Hall December 23d 1869,) removing from said court, the cause in which Oscar J. Averell is plaintiff in error, and Jarvis R Smith is defendant in error, into the Supreme Court of the United States, of which the foregoing is a true & correct copy.

Witness my hand and official seal at my office in Utica this 7th day of April A.D. 1871.

Seal

Charles Mason
Clerk."

and having stated to the Court that the plaintiffs in error had altogether failed to file the record of said cause in this court or in anyway to prosecute said writ of error, now here moved the Court in pursuance of the 9th rule of this court, to have this writ of error docketed & dismissed. On consideration whereof, it is now here ordered & adjudged by this Court that this writ of error from the Circuit Court of the United States for the Northern District of New York be, and the same is hereby docketed and dismissed with costs - And that this cause be, and the same is hereby remanded to the said Cir-

cuit Court for further proceedings to be had therein in conformity to law and justice the said writ of error notwithstanding.

per Mr Chief justice Chase.

1418 Elijah M. Dunphy vs. T. H. Klinck et al. | Appellant | The argument of this cause was concluded by Mr Trumbull of counsel for the appellant.

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5. The Baltimore & Ohio R.R.C. vs John O. Harris, adm.t. | Plaintiff in Error, | The re argument of this cause on the point specified was commenced by Mr J. A. Buchanan of counsel for the plaintiff, continued by Mr T. J. D. Fuller of counsel for the defendant in error, and concluded by Mr J. K. Bradley, of counsel for the plaintiff in error.

	The United States.	The argument
156	vs. Appellants	of these cases
	J. A. Klein, Surv'g. admr.	was com-
	and	menced by
	John F. Surgood	Mr Solicitor
208	vs. Appellant	General Bris-
	The United States	tow of coun-

sel for the United States, and continued by Mr T. M. Bartley, of counsel for the appellee in No 156.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven o'clock.

Friday April 21st 1871.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase, Chief Justice
Nathan Clifford
Noah H. Swayne
Samuel F. Miller — Associate
David Davis — Justices.
Stephen J. Field
William Strong
Joseph P. Bradley.

Richard C. Parsons Esquire, Marshal
Daniel Tisdy Middleton Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr Assistant Attorney General Talbot, it is ordered that Lyman Elmore Esquire and George H. Paine of New York City be admitted to practice as attorneys and counsellors of this Court & they were sworn accordingly.

On motion first made to the court in this behalf, by Hon S. P. Poland it is ordered that Bradley B. Smalley Esqure of Burlington State of Vermont be admitted to practice as an Attorney and Counsellor of this court, and he was sworn accordingly.

The United States
156 vs. Appellants.
S. A. Klein, survg. admr.
and
John F. Pargoud
208 vs. Appellant
The United States.

The further argument of these cases was continued by Mr T. H. Bayley, Mr S. D. Lincoln and Mr J. A. Carlisle of counsel for the appellee in No 156. by Mr T. J. Durant and Mr J. Phillips for the appellant in No 208, - and concluded by Mr Attorney General Akerman in behalf of the United States.

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394 The United States vs. Piffs. in Error, Jesse Thomas et al.

Mr Carlisle in behalf of Mr Cooper of counsel for the defendants in error having filed and read in open court a suggestion of a diminution of the record in this cause," and moved the Court for a certiorari to bring up a more perfect transcript - In support of this motion he shows the following facts. - From an inspection of the transcript by which it is made to appear that the exceptions to the rulings and charge of the court were taken pending the trial, and at the time the rulings were made, when in fact, no such exceptions were taken at the time specified."

On consideration whereof, it is now here ordered and adjudged by this court, that a writ of Certiorari be, and the same is hereby awarded to be issued

forthwith, and to be directed to the Judges of the Circuit Court of the United States, for the Middle District of Tennessee, commanding them to forthwith certify to this Court, under the seal of the said Circuit Court, a perfect transcript of the record in the above entitled cause, & return the same with the said writ of certiorari forthwith to this Court.

per Mr Chief Jus. Chase.

Eliz. Crisfield, and Amede G. James, Executors of Andrew D. James, deceased
16 vs. Pltfs. in Error,
The President, Directors & Company of the Bank of Mobile.

In error to the Circuit Court of the United States for the District of Louisiana.

This cause came on to be heard on the transcript of the record

from the Circuit Court of the United States, for the District of Louisiana, and on the motion of Mr P. Phillips, of counsel for the defendants in error, it is now here ordered and adjudged by this court, that the writ of error in this cause be, and the same is hereby dismissed with costs

per Mr Chf Jus. Chase.

James S. French
368. vs Appellant
Samuel M. Shoemaker

Mr Stanton of counsel for the appellant having filed and read in open court a suggestion of a diminution of the record in this cause, in the words and figures following, to wit:

"That the Clerk of the Circuit Court of the U.S. for the District of Virginia has omitted to certify and send up with the record in this case, the following documents

which were in proof in the court below and are essential to the proper hearing of the case in this court, to wit:

"Exhibit "C" being a copy of a writ of summons issued by said Circuit Court, in the case of the Adams Express Company vs W. Marbury and others and referred to, and made part of the appellants cross bill in the 3d paragraph thereof (Record pa 50.)

Also the bill of complaint filed in the said cause of the Adams Express Company vs W. H. Marbury and others which was read in proof on the hearing below as will be seen by the opinion of the Chief Justice, Record p. 69.

Also a certified copy of an interlocutory decree of the Circuit Court of Alexandria County Virginia rendered on the twenty-third day of November 1867, in the cause of the Alexandria & Washing-

ton R. R. Co. vs. The Alexandria Washington and Georgetown R.R. Co and others."

By reason of which mission and errors aforesaid, the said counsel now here moved the Court to award a writ of certiorari to be directed to the Judges of the Circuit Court of the United States for the District of Virginia, commanding them that searching the record and proceedings of said Court, in this cause they shall certify to this Court under the seal of the said Circuit whatever omissions and errors shall be found.

On consideration whereof, it is now here ordered & adjudged by this Court, that a writ of certiorari be, and the same is hereby awarded to be issued forthwith and to be directed to the Judges of the Circuit Court of the United States for the District of Virginia, commanding them that

searching the records & proceedings aforesaid, they forthwith certify to this court under the seal of the said Circuit Court whatever omissions and errors shall be found in this cause, & return the same with the said writ of certiorari forthwith to this court.

per Mr Chief Jus. Chase.

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443 | John F. Edmes & al. Plff. in Error / The Merchants. Mutual Ins. Co. & al. | Ordered by the Court that the argument of the motion to dismiss this writ of error, filed by Mr Riddle be, and the same is hereby postponed until the 20th of October next.

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556 | Barbara E. Hume & al Appellants. / Mary D. Beale Exx &c | Ordered by the court that the motion of Mr Moore to reinstate this cause on the docket &c be and the same

is hereby postponed until the 20th of October next.

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514 G. Jules Germain vs. Piff. in Error. James Mason et ab. | Mr F.H. Dick of counsel for the plaintiff in error having filed and read in open court a suggestion of a diminution of the record in this cause in the words and figures following to wit:

"That the Clerk of the Court below through mistake has transmitted to this court as a part of the record, copy of the writ of Error and of the citation now remaining in the Court below & duly existing and in force as is apparent on inspection of the transcript returned to this court."

By reason of which omissions and errors aforesaid the said Counsel now here moved

the Court to award a writ of certiorari to be directed to the Judges of the Supreme Court of Montana Territory, commanding them that searching the record and proceedings of said court in this cause they shall certify to this court under the seal of the said Supreme Court, whatever omissions and errors shall be found - On consideration whereof it is now here ordered and adjudged by this Court that a writ of certiorari be, and the same is hereby awarded to be issued forthwith, and to be directed to the Judges of the Supreme Court of the Territory of Montana, commanding them that searching the records and proceedings aforesaid they forthwith certify to this Court under the seal of the said Supreme Court whatever omissions and errors shall be found in this cause and return the same

with the said writ of certiorari forthwith to this court.

per Mr Chf Jus. Chase.

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500 John S. Knox Jr. et al. vs. Plffs. in Error, The Exchange Bank of Virginia.

The motion to dismiss this cause was submitted on printed argument by Mr H. C. Claughton in support of the same and by Mr George H. Dent, and by Mr C. H. Wallace in opposition thereto.

Proclamation being made the court is adjourned until Monday morning the first of May next at Eleven o'clock.

Monday May 1st 1871.

Pursuant to adjournment the court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase Chief justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices.

Richard C. Parsons Esquire Marshal.
Daniel Risley Middleton Clerk.

Proclamation being made the court is opened.

On motion first made to the court on this behalf by Mr. E. J. Durant it is ordered that R. Stewart Dennel Esquire of New Orleans State of Louisiana be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

On motion first made to the court in this behalf by Mr A. L. Merriman it is ordered that John H. H. Tulch con Esquire of Washington City District of Columbia be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

On motion first made to the court in this behalf by Mr J. W. Denver it is ordered that E. & F. Hastings Esquire of San Francisco, State of California and E. L. Fogg Esquire of Salt Lake City, Utah Territory, be admitted to practice as attorneys and counsellors of this court, and they were sworn accordingly.

On motion first made to the court in this behalf by Mr P. Phillips it is ordered that Isaac D. Jones Esquire of Baltimore State of Maryland be admitted to practice

as an attorney and counsellor of this court, and he was sworn accordingly.

On motion first made to this court on this behalf by Jno. L. Trumbull, it is ordered that James H. Carter Esqre of Salt Lake City, Utah Territory, be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

The United States, vs Appellants The Heirs of John Lynd, deceased. | Appeal from the District Court of the United States for the District of Louisiana.

This cause came on to be heard on the transcript of the record from the District Court of the United States, for the District of Louisiana, and was argued by

counsel. On consideration whereof, it is now here ordered adjudged and decreed by this court that the decree of the said District Court in this cause be, and the same is hereby affirmed.

Dissenting: 3 per Mr Justice Bradley.
Mr Jus. Clifford 3

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142 Jacob R. Ludlow & Appellant. / J. G. M. Ramsey. | Appeal from the Circuit Court of the United States for the Eastern District of Tennessee.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Tennessee, and was argued by counsel. On consideration whereof, it is now here ordered adjudged and decreed by this court, that the decree of the said Circuit Court in this cause be, and the same is hereby reversed,

with costs - And that this cause be, and the same is hereby remanded to the said Circuit Court, for further proceedings to be had therein in conformity with the opinion of this court.

per Mr Justice Bradley.

148.	Elijah M. Dunphy vs. T. H. Kleinschmidt & Charles E. Duer. Appellants.	In error to the Supreme Court of the Territory of Montana.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Montana, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this court, that the judgment of the said Supreme Court in this cause be, and the same is hereby Reversed with costs - And that this cause be, and the same is hereby remanded to the said Supreme Court

for further proceedings to be had therein in conformity with the opinion of this court.

per Mr Justice Bradley.

The Galveston, Houston and Henderson R.R. Company et al. vs. Appellants, N. A. Cowdrey et al.

119

Appeal from the Circuit Court of the United States for the Eastern District of Texas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Texas, and was argued by Counsel. On consideration whereof, it is now here ordered adjudged and decreed by this court, that the decree of the said Circuit Court, in this cause be, and the same is hereby affirmed with costs. per Mr Jus. Bradley.

119½	Robert Pulsford and Philip C. Tucker vs. The Galveston & Henderson Railroad Compy.	Appeal from the Circuit Court of the United States,

for the Eastern District of Texas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Texas, and was argued by counsel. On consideration whereof, it is now here ordered adjudged and decreed by this court that the decree of the said Circuit Court, in this cause be, and the same is hereby affirmed with costs.

per Mr Justice Bradley.

212.	N. N. Cowdrey et al. vs. The Galveston & Houston June Rlw. T. W. Pierce et al.	Appeal from the Circuit Court of the United States

for the Eastern District of Texas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Texas and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this court that the decree of the said Circuit Court, in this cause &c, and the same is hereby affirmed with costs.

per Mr Justice Bradley.

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129. The United States vs. Pitts, in Error. Five Hundred and fifty - six Caddies of tobacco &c. J. N. Henderson & Co. Claimants. | In error to the Circuit Court of the United States for the District of Texas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the

United States for the District of Iowa, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this court, that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed. And that this cause be, and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity with the opinion of this court.

per Mr Justice Strong.

The United States of America. | In error to the Circuit Court of the United States
133. vs. Plaintiffs in Error. | for the District of Virginia.
John F. Wiley, Lewis E. Harvie, Peter F. Boisseau William Old, and John S. Harvie.

This cause came on to be heard on the transcript of the record

from the Circuit Court of the United States, for the District of Virginia, and was argued by Counsel On consideration whereof it is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause, be, and the same is hereby reversed. And that this cause be, and the same is hereby remanded to the Circuit Court of the United States for the Eastern District of Virginia, for further proceedings.

per Mr Justice Strong.

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137 Seth Deering, and Ephraim Graham. vs. Pltffs. in Error. David Sears Jr. F. R. Sears, & K. W. Sears. | In error to the Superior Court of the Commonwealth of Massachusetts.

This cause came on to be heard on the transcript of the record from the Superior Court of the

United States for the District of Iowa, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this court, that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed. And that this cause be, and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity with the opinion of this court.

per Mr Justice Strong.

The United States of America. | In error to the Circuit Court of the United States
133. vs. Plaintiffs in Error. |
John F. Wiley, Lewis E. Harvie, Peter F. Bossieux Willis Old, and John S. Harvie. |

for the District of Virginia.

This cause came on to be heard on the transcript of the record

from the Circuit Court of the United States, for the District of Virginia, and was argued by Counsel On consideration whereof it is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause, be, and the same is hereby reversed and that this cause be, and the same is hereby remanded to the Circuit Court of the United States for the Eastern District of Virginia, for further proceedings.

per Mr Justice Strong.

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137 Seth Deering, and Ephraim Graham. vs. Plffs. in Error, David Sears Jr. F. R. Sears, & K. H. Sears. | In error to the Superior Court of the Commonwealth of Massachusetts.

This cause came on to be heard on the transcript of the record from the Superior Court of the

Commonwealth of Massachusetts and was argued by counsel. On consideration whereof it is now here ordered & adjudged by this court, that the judgment of the said Superior Court, in this cause be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Superior Court, with instructions to enter a judgment in conformity with the opinion of this court.

per Mr Justice Strong.

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135 Seth Deming and Ephraim Graham. vs. Piper. in Error, Lord Sears Jr. F. R. Sears and R. H. Sears.

In error to the Superior Court of the Commonwealth of Massachusetts.

This cause came on to be heard on the transcript of the record from the Superior Court of the

Commonwealth of Massachusetts and was argued by Counsel On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said Superior Court in this cause be, and the same is hereby Reversed with costs. and that this cause be, and the same is hereby remanded to the said Superior Court with instructions to enter a judgment in conformity with the opinion of this court.

per Mr Justice Strong.

143.	Robert Forsyth vs. Elffin Error. Robert K. Woods assignee of the estate of Edward P. Tesson composing the firm of Tesson Son & Company.	In error to the Circuit Court of the United States for the District of Missouri.

This cause came on to be heard

on the transcript of the record from the Circuit Court of the United States for the District of Missouri, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this court, that the judgment of the said Circuit Court, in this cause be, and the same is hereby affirmed with costs. per Mr Justice Strong.

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103. The United States of America vs. The Steamer "Montello" her boats, tackle, apparel, and furniture - Stephen M. Booth and Charles H. Slayton, Claimants. | Appeal from the Circuit Court of the United States for the District of Wisconsin.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Wisconsin, and was argued by counsel. On con-

sideration whereof, it is now here ordered adjudged and decreed by this court, that the decree of the said Circuit Court, in this cause, be, and the same is hereby reversed and that this cause be, and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity with the opinion of this court.

per Mr Justice Field.

The Second National Bank of Leavenworth Plff in error, vs. Wm P. Borland, and Austin M. Clark.

140. vs. Pleffs. in error. F. R. Hunt, assignee of W. T. Keller, and Mary K. Gladding as partners bankrupts.

In error to the Circuit Court of the United States for the District of Kansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States

on the transcript of the record from the Circuit Court of the United States for the District of Missouri, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this court, that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs. per Mr Justice Strong.

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103. The United States of America vs. The Steamer "Nautilus" her boats, tackle, apparel, and furniture - Stephen M. Booth and Charles W. Slayton, Claimants. Appellants. Appeal from the Circuit Court of the United States for the District of Wisconsin.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Wisconsin, and was argued by counsel. On con-

sideration whereof, it is now here ordered adjudged and decreed by this Court, that the decree of the said Circuit Court, in this cause, be, and the same is hereby reversed and that this cause be, and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity with the opinion of this Court.

per Mr Justice Field.

The Second National Bank of Leavenworth Wm P. Borland, and Austin M. Clark.

140. vs. Pleffs. in error.

F. R. Hunt, assignee of, W. T. Keller, and Mary K. Gladding as partners bankrupts.

In error to the Circuit Court of the United States for the District of Kansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States

for the District of Kansas, in was argued by Counsel. On consideration whereof, it is now hereordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Kansas.

Per Mr Justice Field.

William P. Halliday, Henry L. Halliday, Edwin M. Halliday, Thomas M. Halliday & Rufus P. Robins. vs. Pliff in Error. Thomas N. Hamilton & John L. Dunnica Partners as Hamilton & Dunnica.

In error to the Circuit Court of the United States for the Southern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United

States for the Southern District of Illinois, and was argued by Counsel - On consideration whereof, it is now here ordered and adjudged by this court, that the judgment of the said Circuit Court, in this cause be, and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Illinois.

~~Per Mr Justice Davis.~~

The Home Insurance Company, Plff. in Error,
135 vs. In error to the Circuit Court of the United
Chas W. & Jos. R. Wride. States for the District of Minnesota.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Minn.

-esota, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court, with directions to award a venire facias de novo.

per Mr Justice Davis.

The Schooner "Ocean Spray" &c		Appeal
Geo. Kentfield. Claimant,		from the
145 vs.	Appellants,	Circuit
N. C. Erlandson & Chas J. Lee.		Court of
		the Uni-

ted States for the District of California

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of California, and was argued by counsel. On con-

sideration whereof, it is now here ordered adjudged and decreed by this court, that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs and interest until paid at the same rate per annum that decrees bear in the courts of the State of California.

per Mr Justice Davis.

The Eureka Clothes Wringing Machine Co. vs. The Bailey Washing & Wringing Machine Co.

134

Appeal from the Circuit Court of the United States for the District of Massachusetts.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and was argued

by counsel. On consideration where-
of, it is now here ordered adjudged
and decreed by this Court that the
decree of the said Circuit Court
in this cause be, and the same
is hereby affirmed with costs and
interest until paid at the same
rate per annum that similar
decrees bear in the Courts of the
State of Massachusetts.

per Mr Justice Miller.

The United States
vs
Seth Howell.

On a certificate
of division
in opinion
between the
Judges of the Circuit Court of the
United States for the District of
California.

This cause came on to be heard
on the transcript of the record from
the Circuit Court of the United
States for the District of Califor-
nia, and on the points or questions

on which the judges of the said Circuit Court were opposed in opinion and which were certified to this Court for its opinion agreeably to the act of Congress in such case made and provided, and was argued by Counsel. On consideration whereof, it is the opinion of this Court, that the first and third questions and the first branch of the second must be answered in the negative, and that the fourth and fifth and the second branch of the second in the affirmative. Whereupon it is now here ordered & adjudged by this Court, that it be so certified to the said Circuit Court.

per Mr Justice Miller.

John S. Knox Jr. and Robert T. Knox late Co. partners as Knox Bro. & Co. & Jas. S. Knox. Pffs. in error.

500. vs.

The Exchange Bank of Virginia use of Geo. W. Camp, trustee.

In error to the Supreme Court of Appeals of the

State of Virginia.

This cause came on to be heard on the transcript of the record from the Supreme Court of Appeals of the State of Virginia, and on the motion of Mr Claughton of counsel for the defendant in Error to dismiss this writ of error, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this court, that the writ of error in this cause, be, and the same is hereby dismissed with costs. Per Mr Justice Miller.

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5. The Balto & Ohio R.R. Co vs. Pltff in Error. Ellen T. Harris, admx of John C. Harris, deceased. | In error to the Supreme Court of the District of Columbia.

This cause came on to be heard on the transcript of the record from

the Supreme Court of the District of Columbia, and was argued by Counsel. On consideration whereof, it is now here ordered & adjudged by this Court, that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with Costs, and Interest until paid at the same rate per annum that similar judgments bear in the Courts of the District of Columbia.

per Mr Justice Swayne.

The City of St Louis, Plff. in Error, vs. The Wiggins Ferry Co. | In error to the Circuit Court of the United States for the Districts of Missouri.

134.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Districts of Missouri, and was argued

by counsel. On consideration where-
of, it is now here ordered and ad-
judged by this Court that the judg-
ment of the said Circuit Court, in
this cause be, and the same is hereby
affirmed with costs.

Per Mr Justice Swayne.

Two Hundred and seven-
ty five pound pieces of
Smoking Tobacco.
vs. C. C. Dandridge et al.
Claimants.
253 vs. Appeal in Error.
The United States.

In error to
the District
Court of the
United States
for the West-
ern District
of Arkansas.

This cause came on to be heard on
the transcript of the record from
the District Court of the United States
for the Western District of Arkansas,
and was argued by counsel. On
consideration whereof it is now
here ordered and adjudged by
this Court that the judgment
of the said District Court in this

cause be, and the same is hereby affirmed.

per Mr Justice Swayne.

Dissenting.
Mr Justice Bradley
" " Davis

Mr Justice Field did not sit in this case.

William S. Knox
10 vs Pltf. in Error,
Phebe J. Lee, and
Hugh Lee her husband.

In error to the Circuit Court of the United States for the Western District of Texas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Texas, and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court

that the judgment of the said Civil Court in this cause, be, and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Texas

Dissenting: Per Mr Justice Strong

Mr Chief Justice Chase
" Justice Nelson
" " Clifford
" " Field

Thomas K. Tucker. pff. in error. vs. George Davis — def. in error.

In error to the Supreme Judicial Court of the Commonwealth of Massachusetts.

This cause came on to be heard on the transcript of the record from the Supreme Judicial Court of the Commonwealth of Massachusetts and was argued by Counsel. On consideration whereof it is now

were ordered adjudged and decreed by this Court that the decree of the said Supreme Judicial Court in this cause be, and the same is hereby affirmed with costs.

Dissenting:
Mr Chief Jus. Chase
Jus. Nelson
" " Clifford
" " Field.

Jus Mr Jus. Strong

Frederick R. Fowler, William C. Fowler, & Mahlon S. Crampton.

vs.

William Rathbone William Rathbone Junior, S. G. Rathbone, Thomas K. Twist, & William Eddendale.

In error to the Circuit Court of the United States for the South ern District of New York.

1871.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States, for the Southern District of New York, and was argued by counsel.

On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said Circuit Court, in this cause be, and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the courts of the State of New York.

per Mr. Justice Clifford -

William H. Reed, William Barnes, George E. Hawley, E. K. Barnes, D. C. Adams and J. W. Reed. Appellants, vs. The United States.

This cause came on to be heard on the transcript of the record from the Court of Claims and was argued by counsel. On consideration whereof, it is now here ordered adjudged and decreed by this Court that the decree of the said Court of Claims in this cause be and

the same is hereby affirmed.
per Mr Justice Clifford.

The United States.

225 vs Appellants; Appeal from the Court of Claims.

William F. Reed, William Barnes, Jr. E. Hawley, E. H. Barnes, & Holmes & F. Reed.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel - On consideration whereof, it is now here ordered adjudged and decreed by this court, that the decree of the said Court of Claims in this cause be, and the same is hereby reversed - And that this cause be and the same is hereby remanded to the said Court of Claims with directions to dismiss the petition.

per Mr Justice Clifford

	The New Orleans Jackson and Great Northern R. R. Co.	In error to the Circuit Court of the United States for the District of Louisiana.
123	vs. Pltffs. in error.	
	Charles Morgan	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana, and was argued by counsel. On consideration whereof, the Court, being equally divided in opinion, it is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court, in this cause in, and the same is hereby affirmed with costs.

By a divided Court.

	William B. Knox.	In Error to
101	vs. Pltff. in error,	the Circuit
	Peter G. Lee & Hugh Lee	Court for

the Western District of Texas.

17. Thomas K. Parker vs George Davis. | In error to the Supreme Judicial Court of the Commonwealth of Massachusetts.

In these two cases two questions were heretofore decided to be argued namely:

1st. Is the act of Congress known as the legal tender act, constitutional as to contracts made before its passage?

2nd. Is it valid as applicable to transactions since its passage?

These questions have been considered by the Court, and both have been decided in the affirmative.

The decree of the Supreme judicial Court of Massachusetts, in the case of Parker vs Davis is therefore affirmed; and the judg-

ment of the Circuit Court of the United States for the Western District of Texas is also affirmed.

The Chief Justice with Associate Justices Nelson, Clifford and Field dissent from the majority of the court upon both propositions and the results; holding that the act of Congress so far as applicable to contracts made before its passage is repugnant to the Constitution and void; and also that is repugnant to the Constitution and void, so far as applicable to contracts made since its passage.

The opinion of the Court and the reasons for dissent will be read before the close of the adjourned term.

18	Noel Byron Boyden vs. Plff in error. The United States	
19	John G. Kallenbrindal vs. Plffs. in Error. The United States	Ordered by the court that these cases be set down for argument on Monday the 16th day of October next.
20	William H. Beraus dal vs Plffs. in Error. The United States.	
102	C J. Hoffman et al vs Plffs in Error, The Nat. City Bank of Milwaukee	
112.	Robert Barth et al. vs. Plffs. in error. William H. Elsi ..	
116.	and Chester O. Samson et al vs. Plffs. in Error, John A. Smiley	

Order of Court.

Ordered by the Court that the Clerk be authorized to issue the Mandates in all cases decided at the present term of this court, to this date.

Order.

Ordered that Rule 21. be amended so as to read as follows:

Two Counsel.

1. Only two counsel shall be permitted to argue for each party, plaintiff and defendant in a cause.

Two Hours.

2. Two hours on each side shall be allowed in the argument of a cause, and no more without special leave of the court granted before the argument begins. But the time thus allowed may be apportioned among counsel on the same side as they choose. Provided always, a fair opening of the case shall be made by the

party having the opening & closing argument.

Briefs.

3. Causes will not be heard unless a printed brief, or abstract of the case be first filed, together with the points made, and the authorities cited in support of them arranged under the respective points.

4. The briefs filed on behalf of a plaintiff in error or an appellant shall also contain a statement of the errors relied upon, and in case of an appeal an abstract of the pleadings and proofs, exhibiting clearly and succinctly the issues presented.

5. Each error shall be separately alleged and particularly specified; otherwise it will be disregarded.

6. When the error alleged, is to the charge of the court, the part of the charge referred to shall be quoted tote dem verbis in the specification.

7. When the error alleged is to the admission or rejection of evidence, the specification shall quote the full substance of the evidence offered, or copy the offer as stated in the bill of exceptions. Any alleged error, not in accordance with these rules will be disregarded.

8. Counsel will be confined to a discussion of the errors stated, but the Court may at its discretion, notice any other errors appearing in the record.

9. The same shall be signed by an attorney or counselor of this Court.

10. If one of the parties omits to file such a statement, he cannot be heard, and the case will be heard Exparte upon the argument of the party by whom the statement is filed.

11. Twenty printed copies of the abstract points and authorities required shall be filed with

the clerk by the plaintiff in error, or appellant six days, and by the defendant in error or appellee three days before the case is called for argument.

12. When no counsel appears for one of the parties, and no printed brief or argument is filed, only one counsel will be heard for the adverse party; but if a printed brief, or argument is filed the adverse party will be entitled to be heard by two counsel.

And it is further ordered that section 2 of Rule 23. be amended so as to read as follows:

2. In all cases where a writ of error shall delay the proceedings on the judgment of the inferior court, and shall appear to have been sued out merely for delay, damages at the rate of ten per cent in addition to interest, shall be awarded upon the amount of the judgment

Order of Court.

Ordered that the revision of the rules as collated and reported by the Clerk, be approved and adopted as the rules of the Court. viz:

Rules
of the
Supreme Court of the United States.

No. 1.
Clerk.

The clerk of this Court shall reside and keep the office at the seat of the National Government, and he shall not practice, either as an attorney or counsellor, in this court, or any other court, while he shall continue to be clerk of this Court

The Clerk shall not permit any original record or paper to be taken from the court room, or from the office without an order from the Court.

No. 2.

Attorneys.

It shall be requisite to the admission of Attorneys or counsellors, to practice in this court, that they shall have been such for three years past in the Supreme Courts of the States to which they respectively belong, and that their private and professional character shall appear to be fair.

They shall respectively, take & subscribe the following oath or affirmation, viz:

I. . . . . do solemnly swear (or affirm, as the case may be,) that I will demean myself as an attorney, and counsellor of this court, uprightly, and according to law, and that I will support the Constitution of the United States.

No 3.

Practice.

This court consider the practice of the courts of Kings Bench, and of Chancery in England, as affording

outlines for the practice of this court; and they will from time to time make such alterations therein as circumstances may render necessary.

No 4.
Bill of Exceptions.

Hereafter the Judges of the Circuit and District Courts shall not allow any bill of exceptions which shall contain the charge of the court at large to the jury in trials at common law, upon any general exception to the whole of such charge. But the party excepting shall be required to state distinctly the several matters of law in such charge to which he excepts; and such matters of law and those only shall be inserted in the bill of exceptions and allowed by the court.

No 5.
Process.

All process of this court shall be in the name of the President of the United States.

When process at common law, or in equity, shall issue against a State, the same shall be served on the governor, or chief executive magistrate, and attorney general of such State.

Process of subpoena, issuing out of this court in any suit in equity, shall be served on the defendant sixty days before the return day of the said process; and if the defendant, on such service of the subpoena, shall not appear at the return day, contained therein, the complainant shall be at liberty to proceed ex parte.

No 6.
Motions

All motions hereafter made to the court shall be reduced to writing, and shall contain a brief statement of the facts and objects of the motion.

No motion to dismiss except on special assignment by the court, shall be heard unless previous notice

has been given to the adverse party or the counsel or attorney of such party.

Motion Day

The Court will not hear arguments on Saturday (unless for special cause it shall order to the contrary,) but will devote that day to the other business of the Court; and on Friday in each week, during the sitting of the Court, motions in cases not required by the rules of the Court to be put on the docket shall be entitled to preference, if such motions shall be made before the Court shall have entered on the hearing of a cause upon the docket.

No. 7.
Law Library.

1. During the session of the Court, any gentleman of the bar having a cause on the docket, and wishing to use any book or books in the Law Library, shall be at liberty upon application to the Clerk of the Court, to receive an order

to take the same (not exceeding at any one time three) from the Library, he being thereby responsible for the due return of the same, within a reasonable time, or when required by the Clerk. And it shall be the duty of the Clerk to keep in a book for that purpose, a record of all books so delivered, which are to be charged against the party receiving the same. And in case the same shall not be so returned the party receiving the same shall be responsible for and forfeit and pay twice the value thereof; as also one dollar per day for each days detention beyond the limited time.

Conference Room

2. The Clerk shall take charge of the books of the Court, together with such of the duplicate law books as Congress may direct to be transferred to the Court, and arrange them in the Conference room which he shall have fitted up in a proper manner

and he shall not permit such books to be taken therefrom by any one except the judges of the Court.

No 8.

Return to writ of error & Return Day.

1 The clerk of the court to which any writ of error shall be directed may make return of the same by transmitting a true copy of the record, and of all proceedings in the cause under his hand and the seal of the court.

2. No cause will hereafter be heard until a complete record containing (in itself abridged, all the papers, exhibits, depositions, and other proceedings which are necessary to the hearing in this Court shall be filed.

3. Whenever it shall be necessary, or proper in the opinion of the presiding judge in any circuit court or district court, exercising circuit court jurisdiction that original papers of any kind should be inspected in this court, upon appeal or writ of error, such

presiding judge may make such rule, or order for the safe Keeping, transporting, and return of such original papers as to him may seem proper; and this Court will receive and consider such original papers in connection with the transcript of the proceedings.

Return Day

4. In all cases where final judgment is rendered more than thirty days before the first day of the next term of this Court, the writ of error and citation, if taken before, must be returnable on the first day of said term, and be served before that day; but in cases where the judgment is rendered less than thirty days before the first day, the writ of error and citation may be made returnable on the third Monday of the said term, and be served before that day.

No. 9

Docketing Cases.

1. In all cases where a writ of error or an appeal shall be brought to this Court from any judgment or decree rendered thirty days before the commencement of the term, it shall be the duty of the plaintiff in error or appellant as the case may be, to docket the cause and file the record thereof with the Clerk of this Court within the first six days of the term; and if the writ of error or appeal shall be brought from a judgment or decree rendered less than thirty days before the commencement of the term, it shall be the duty of the plaintiff in error or appellant to docket the cause and file the record thereof with the Clerk of this Court within the first thirty days of the term; and if the plaintiff in error or appellant shall fail to comply with this rule, the defendant in error or appellee may have the case docketed and dismissed, upon producing a

certificate from the Clerk of the court wherein the judgment or decree was rendered, stating the cause, and certifying that such writ of error or appeal has been duly sued out and allowed. And in no case shall the plaintiff in error or appellant be entitled to docket the cause and file the record after the same shall have been docketed and dismissed under this rule unless by order of the Court.

2. But the defendant in error or appellee may, at his option, docket the cause, and file a copy of the record with the Clerk of the court; and if the case is docketed, and a copy of the record filed with the Clerk of this Court by the plaintiff or appellant with the periods of time above limited and prescribed by this rule, or by the defendant in error or appellee at any time thereafter during the term, the case shall stand for argument at the term.

3. Upon the filing of the transcript of a record brought up by

writ of error or appeal, the appearance of the Counsel for the plaintiff in error or appellant shall be entered.

11. In all cases where the period of thirty days is mentioned in this rule, it shall be extended to sixty days in writs of error and appeals from California, Oregon Washington, New Mexico, Utah, Nevada, Arizona, Montana, and Idaho.

No. 10.

Security for Costs.

1. In all cases the Clerk shall take of the party, a bond with competent surety, to secure his fees, in the penalty of two hundred dollars; or a deposit of that amount to be placed in bank subject to his draft.

Printing Records.

2. In all cases the clerk shall have printed copies of the records printed for the court, and the costs of printing shall be charged to the government

in the expenses of the court.

3. The clerk shall furnish copies for the printer, shall supervise the printing, and shall take care of and distribute the printed copies to the judges, the reporter, and the parties, from time to time as required.

4. In each case the clerk shall charge the parties legal fees for but the one manuscript copy in that case.

5. In all cases the clerk shall deliver a copy of the printed record to each party; and in cases of dismission, reversal, or affirmance with costs, the fees for the said manuscript copy of the record shall be taxed against the party against whom costs are given, and which charge includes the charge for the copy furnished him.

6. In cases of dismission for want of jurisdiction, each party shall be charged with one half the legal fees for a copy.

Attachment for Costs.

7. Upon the Clerk of this Court producing satisfactory evidence by affidavit or the acknowledgment of the parties or their sureties, of having served a copy of the bill of fees due by them respectively, in this Court, on such parties or their sureties an attachment shall issue against such parties or sureties respectively, to compel payment of the said fees.

No 11.

Translations.

Whenever any record, transmitted to this Court, upon a writ of error or appeal shall contain any document, paper, testimony, or other proceeding in a foreign language, and the record does not also contain a translation of such document, paper, testimony, or other proceeding made under the authority of the inferior Court, or admitted to be correct, the record shall not be printed, but the case shall be reported to this Court by the Clerk, and

the court will thereupon remand it to the inferior court, in order that a translation may be there supplied and inserted in the record.

No. 12.
Evidence.

1. In all cases where further proof is ordered by the court, the depositions which shall be taken shall be by a commission to be issued from this court, or from any Circuit Court of the United States.

2. In all cases of admiralty and maritime jurisdiction, where new evidence shall be admissible in this court, the evidence by testimony of witnesses shall be taken under a commission to be issued from this court, or from any Circuit Court of the United States, under the direction of any judge thereof; and no such commission shall issue but upon interrogatories to be filed by the party applying for the commission, and notice

to the opposite party or his agent or attorney, accompanied with a copy of the interrogatories so filed; to file cross interrogatories within twenty days from the service of such notice: Provided however, That nothing in this rule shall prevent any party from giving oral testimony in open court in cases where by law it is admissible.

No. 13.

Deeds &c. Not objected to &c. Admitted &c.

In all cases of equity and admiralty jurisdiction heard in this court no objection shall hereafter be allowed to be taken to the admissibility of any deposition, deed, grant, or other exhibit found in the record as evidence, unless objection was taken thereto in the court below and entered of record; but the same shall otherwise be deemed to have been admitted by consent.

No 14.

Certiorari.

No certiorari for diminution of the record shall be hereafter awarded in any cause, unless a motion therefor shall be made in writing, and the facts on which the same is founded shall if not admitted by the other party, be verified by affidavit. And all motions for such a certiorari shall be made at the first term of the entry of the cause; otherwise the same shall not be granted unless upon special cause shown to the Court accounting satisfactorily for the delay.

No. 15.

Death of a party.

1. Whenever pending a writ of error or appeal in this court either party shall die, the proper representatives in the personalty or realty, of the deceased party, according to the nature of the case, may voluntarily come in and be admitted parties to the suit

and thereupon the cause shall be heard and determined as in other cases; and if such representatives shall not voluntarily become parties then the other party may suggest the death on the record, and thereupon on motion obtain an order, that unless such representatives shall become parties within the first ten days of the ensuing term, the party moving for such order, if defendant in error, shall be entitled to have the writ of Error or appeal dismissed; and if the party moving shall be plaintiff in error, he shall be entitled to open the record, and on hearing have the same reversed if it be erroneous: Provided however: That a copy of every such order shall be printed in some newspaper at the seat of government in which the laws of the United States shall be printed by authority for three successive weeks at least sixty days before the beginning of the term of the Supreme Court then next ensuing.

2. When the death of a party is suggested, and the representatives of the deceased do not appear by the tenth day of the second term next succeeding the suggestion, and no measures are taken by the opposite party within that time to compel their appearance, the cause shall abate.

No. 16.

No appearance of Plaintiff.

When there is no appearance for the plaintiff when the case is called for trial, the defendant may have the plaintiff called and dismiss the writ of error, or may open the record and pray for an affirmance.

No. 17.

No appearance of Defendant.

When the defendant fails to appear when the cause shall be called for trial, the Court may proceed to hear an argument on the part of the plaintiff, and to give judgment according to the right of the cause.

§ 15.

Om öppnande av testamente.

Finnes testamente vara förseglat, skall det öppnas och läsas av den, som det till förvaring mottagit, eller, om han är död, av den, som det efter honom innehar, i närvaro av två eller flere vittnen, som kunna styrka, att testamentet är det samma, som det var, då det lämnades till förvaring.

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§ 16.

Förfarande, om testamente förkommer.

Finnes testamente, som förvarats hos annan än testatorn själv, icke vara att återfinna, och kan det antagas, att det förkommit genom annans försorg eller försummelse, skall den, som det förvarat, ersätta vad därigenom förorsakats.

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§ 20.

Testamentsexemplar.

Har testamente upprättats i flere exemplar, och finnes icke bestämmelse om, att det ena skall förvaras av den, det andra av annan, skall det exemplar, som finnes hos testatorn, anses vara det gällande, och skall det, som finnes hos annan, tillhöra testatorns dödsbo.

No. 18.

No appearance of either party.

When a case is reached in the regular call of the docket, and no appearance is entered for either party, the case shall be dismissed at the costs of the plaintiff.

No. 19.

Neither party ready at second term.

When a case is called for argument at two successive terms, and upon the call at the second term neither party is prepared to argue it, it shall be dismissed at the Costs of the plaintiff, unless sufficient cause is shown for further postponement.

No. 20.

Printed Arguments.

1. In all cases brought here on appeal and of error or otherwise, the Court will receive printed arguments without regard to number of the case on the docket if the counsel on both sides shall choose so to submit the same

within the first sixty days of the term; but twenty copies of the arguments, signed by attorneys or counsellors of this court, must be first filed; ten of these for the court, two for the reporter, three to be retained by the Clerk, and the residue for counsel.

2 When a case is reached in the regular call of the docket, and a printed argument shall be filed for one or both parties, the case shall stand on the same footing as if there were an appearance by counsel.

3. When a case is taken up for trial upon the regular call of the docket, and argued orally in behalf of only one of the parties, no printed argument will be received unless it is filed before the oral argument begins, and the court will proceed to consider and decide the case upon the ex parte argument.

No. 21.

Two Counsel.

1. Only two counsel shall be permit-

led to argue for each party, plaintiff and defendant in a cause.

Two Hours

2. Two hours on each side shall be allowed in the argument of a cause, and no more, without special leave of the court granted before the argument begins. But the time thus allowed may be apportioned among counsel on the same side as they choose. Provided always a fair opening of the case shall be made by the party having the opening and closing argument.

Briefs.

3. Counsel will not be heard unless a printed brief or abstract of the case be first filed, together with the points made, and the authorities cited in support of them arranged under the respective points

4. The brief filed on behalf of a plaintiff in error or an appellant shall also contain a statement of

the errors relied upon, and in case of an appeal an abstract of the pleadings and proofs, exhibiting clearly and succinctly the issues presented.

5. Each error shall be separately alleged and particularly specified; otherwise it will be disregarded.

6. When the error alleged is to the charge of the Court, the part of the charge referred to shall be quoted totidem verbis in the specification.

7. When the error alleged is to the admission or rejection of evidence, the specification shall quote the full substance of the evidence offered, or copy the offer as stated in the bill of exceptions. Any alleged error not in accordance with these rules will be disregarded.

8. Counsel will be confined to a discussion of the errors stated, but the Court may, at its discretion, notice any other errors appearing in the record.

9. The same shall be signed by

the attorney or counselor of this court.

10. If one of the parties omits to file such a statement, he cannot be heard, and the case will be heard ex parte upon the argument of the party by whom the statement is filed.

11. Twenty printed copies of the abstract, points, and authorities required by this rule, shall be filed with the Clerk by the plaintiff in error or appellant six days, and by the defendant in error or appellee, three days, before the case is called for argument.

12. When no counsel appears for one of the parties, and no printed brief or argument is filed, only one counsel will be heard for the adverse party; but if a printed brief or argument is filed, the adverse party will be entitled to be heard by two counsel.

No. 22.

Order of Argument.

The plaintiff, or appellant in this

Court shall be entitled to open and conclude the case. But when there are cross appeals, they shall be argued together as one case, and the plaintiff in the Court below shall be entitled to open and conclude the argument.

No 23.

Interest.

1. In cases where a writ of error is prosecuted to this court, and the judgment of the inferior court is affirmed, the interest shall be calculated and levied from the date of the judgment below, until the same is paid, at the same rate that similar judgments bear interest in the courts of the state where such judgment is rendered.

2. In all cases where a writ of error shall delay the proceedings on the judgment of the inferior court, and shall appear to have been sued out merely for delay, damages at the rate of ten per cent, in addition to

interest, shall be awarded upon the amount of the judgment.

3. The same rule shall be applied to decrees for the payment of money in cases of Chancery, unless otherwise ordered by this Court. *

No. 24.

Costs.

1. In all cases where any suit shall be dismissed in this Court, except where the dismissal shall be for want of jurisdiction, costs shall be allowed to the defendant in error or appellee, as the case may be, unless otherwise agreed by the parties.

2. In all cases of affirmance of any judgment or decree in this Court, costs shall be allowed to the defendant in error or appellee, as the case may be unless otherwise ordered by the Court.

3 In cases of reversal of any judgment or decree in this Court, costs shall be allowed to the plaintiff in error or appellant, as the case may be, unless otherwise

* Interest not allowed in admiralty, unless specially

ordered by the court. The cost of the transcript of the record from the court below shall be a part of such costs and be taxable in that court as costs in the case.

4. Neither of the foregoing rules shall apply to cases where the United States are a party; but in such cases no costs shall be allowed in this court for or against the United States

5. In all cases of the dismissal of any suit in this court, it shall be the duty of the Clerk to issue a mandate, or other proper process, in the nature of a procedendo, to the court below for the purpose of informing such court of the proceedings in this court, so that further proceedings may be had in such court as to law and justice may appertain.

6. When costs are allowed in this court, it shall be the duty of the Clerk to insert the amount thereof in the body of the mandate, or other proper process, sent to the court below

and annex to the same the bill of items taxed in detail.

No. 25.

Opinions of the Court.

1. All opinions delivered by the court shall immediately upon the delivery thereof, be delivered over to the clerk to be record. And it shall be the duty of the clerk to cause the same to be forthwith recorded and to deliver a copy to the Reporter, as soon as the same shall be recorded.

2. The opinions of the court as far as practicable, shall be recorded during the term, so that the publication of the Reports may not be delayed thereby.

3. The original opinions of the court, shall be filed with the clerk of this court for preservation.

No. 26.

Call of the Docket.

1. The court on the second day in each term will commence calling the

Cases for argument in the order in which they stand on the docket and proceed from day to day during the term, in the same order; (except as heretofore provided,) and if the parties or either of them, shall be ready when the case is called, the same will be heard; and if neither party shall be ready to proceed in the argument, the cause shall go down to the foot of the docket, unless some good and satisfactory reason to the contrary shall be shown to the court.

2. Ten causes only shall be considered as liable to be called on each day during the term, including the one under argument.

3. Criminal cases may be advanced, by leave of the court, on motion of either party.

4. Revenue cases and cases in which the United States are concerned, which also involve or affect some matter of general public interest, may also, by leave of the court, be advanced on

motion of the Attorney General.

5. No other cause shall be taken up out of the order on the docket, or be set down for any particular day, except under special and peculiar circumstances to be shown to the court. Every cause which shall have been called in its order, and passed, and put at the foot of the docket, shall, if not again reached during the term it was called, be continued to the next term of the court.

6. Two or more cases also involving the same question may, by the leave of the court, be heard together, but they must be argued as one case

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No 27.

Adjournment.

The Court will, at any session, announce on what day it will adjourn at least ten days before the time which shall be fixed upon; and the court will take up no case for argument, nor receive any case upon printed briefs, within

three days next before the day fixed upon for adjournment.

No. 28.

Dismissing Cases in Vacation.

Whenever the plaintiff and defendant in a writ of error pending in this Court, or the appellant and appellee in any appeal, shall at any time hereafter, in vacation and out of term time, by their respective attorneys, who are entered as such on the record, sign and file with the Clerk an agreement in writing directing the case to be dismissed, and specifying the terms on which it is to be dismissed as to costs, and also paying the Clerk any fees that may be due to him, it shall be the duty of the Clerk to enter the case dismissed, and to give to either party who may request it a copy of the agreement filed; but no mandate or other process is to issue without an order by the Court.

No. 29.
Supersedeas

Supersedeas bonds in the circuit Courts must be taken with good and sufficient security, that the plaintiff in error or appellant shall prosecute his writ or appeal to effect, and answer all damages and costs if he fail to make his plea good. Such indemnity, where the judgment or decree is for the recovery of money not otherwise secured, must be for the whole amount of the judgment or decree including "just damages for delay," and costs and interest on the appeal; but in all suits where the property in controversy necessarily follows the event of the suit, as in real actions, replevin, and in suits on mortgages; or where the property is in the custody of the Marshal, under admiralty process, as in case of capture or seizure; or where the proceeds thereof, or a bond for the value thereof, is in the custody or control of the Court, indemnity in all such cases is only required

in an amount sufficient to secure the sum recovered for the use and detention of the property, and the costs of the suit and "just damages for delay", and costs and interest on the appeal.

Proclamation being made the Court is adjourned until Monday the 16th day of October next, at eleven o'clock.

Monday October 16th 1871.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase, Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller,
William Strong &
Joseph P. Bradley.
} Associate Justices.

Richard C. Parsons Esquire, Marshal.

Daniel Tuley Middleton, Clerk.

Proclamation being made, the Court is opened

On motion first made to the Court in this behalf, by John W. Cary Esquire, it is ordered that E. C. Palmer, Esquire, of St Paul, State of Minnesota, be admitted to practice as an attorney and counsellor, of this Court, and he was sworn accordingly.

On motion first made to the court in this behalf by Nathaniel Wilson

Esquire it is ordered that W. W. Hamlin Esquire of New Orleans State of Louisiana be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

On motion first made to the court in this behalf by Cortlandt Parker Esquire it is ordered that J. Alfred Davenport Esquire of New York City, be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

On motion first made to the court in this behalf, by Hon Matt H. Carpenter it is ordered that S. J. Conklin Esquire of New Orleans State of Louisiana be admitted to practice as an attorney, and counsellor of this court, and he was sworn accordingly.

18	Noel Byron Boyden vs Plffin Error The United States.	This cause was submitted to the consideration of the court on

the record and printed argument by Mr M H Carpenter of counsel for the plaintiff in Error, and by Mr Solicitor General Bristow, and Mr Assistant Attorney General Hill of counsel for the defendant in error.

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19. John G. Halliburton et al. vs. Piffs in Error. The United States. and. William H. Bevans et al. vs. Piffs in Error. The United States.

These causes were argued by Mr M. H. Carpenter of counsel for the plaintiffs in error, and by Mr Solicitor General Bristow, and Mr Assistant Attorney General Hill of counsel for the defendants in error.

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102. C. J. Hoffman et al. vs. Piffs in error. The National City Bank of Milwaukee.

This cause was argued by Mr M H Carpenter of counsel for the plaintiffs in error, and by Mr

John W. Cary of counsel for the defendant in error.

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112 Robert Barth et al vs Plffs. in Error / William H. Clisd. | This cause was submitted to the consideration of the court on the record and printed argument by Mr George W Sutkin of counsel for the plaintiffs in error, and by Mr M. H. Carpenter of counsel for the defendant in error.

Proclamation being made, the court is adjourned, until tomorrow morning at eleven oclock.

Tuesday, October 17th 1871.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase, Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
William Strong
Joseph P. Bradley
} Associate Justices.

Richard C. Parsons, Esquire, Marshal.

Daniel Wesley, Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Bristow, it is ordered that William McMichael, Esquire of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney & counsellor of this Court and he was sworn accordingly.

Tuesday October 17th 1871. continued.

116	Chester C. Samson et al. vs. Plaintiffs in Error, John A. Smiley.	This cause was argued by Mr S. Trumbull of counsel for the plaintiffs in error, and by Mr J. M. Wortworth and Mr M. H. Carpenter of counsel for the defendant in error.

96	The State of Louisiana ex rel. Pt St. Landau vs. Pltff. in Error, J. M. Wickliffe, auditor, &c	Ordered by the Court that this cause &c, and the same is hereby set for argument on Wednesday the 18th instant.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven o'clock.

Wednesday October 18th 1871.

Pursuant to adjournment the court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
William Strong
Joseph P. Bradley
} Associate Justices

Richard C. Parsons Esquire Marshal.

Daniel Henry Middleton Clerk.

Proclamation being made the court is opened.

On motion first made to the court in this behalf by Thomas J. Durant Esquire, it is ordered that J. S. Whitaker Esquire of New Orleans State of Louisiana be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

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153. The United States vs. Appellant A. Chiles et al | On consideration of the motion of Mr Hughes to withdraw his appearance for the appellees in this cause, it is now here ordered by the Court that the leave prayed for, be, and the same is hereby granted.

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96. The State of Louisiana &c. &c. H. H. Handlin vs. Pelff, in Error. G. M. Pickliffe, auditor &c. | The argument of this cause was commenced by Mr Handlin the plaintiff in error. the court declined to hear any further argument in the case.

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130 Alfred Kearney vs. Pelff in error. C. Case, receiver &c | This cause was argued by Mr J. J. Durant of counsel for the plaintiff in error, and by Mr Solicitor General Bristow of Counsel for the defendant in error.

151	Augustus W. Walker vs A. M. Dreville	Plaintiff in error	This cause was argued by Mr T. J. Durant of Counsel for the plaintiff in error, and submitted on printed argument by Mr Miles Taylor of counsel for the defendants in error.

152	The United States vs Herman Bielawitzki	Appellants	Appeal from the Court of Claims

This cause came on to be heard on the transcript of the record from the Court of Claims, and on the motion of Mr Solicitor General Bristow, of counsel for the appellants it is now here ordered adjudged and decreed by this court, that this appeal be, and the same is hereby dismissed.

per Mr Chief Justice Chase

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153. The United States. vs Appellants Henzo Ebisi et al. | The argument of this cause was commenced by Mr Assistant Attorney General Hill of counsel for the appellants, and continued by Mr Joseph Casey, and Mr H. E. Davies of counsel for the appellees.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Thursday October 19th 1871

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
William Strong
Joseph P. Bradley
} Associate Justices.

Richard C. Parsons Esquire Marshal.

Daniel Tenney Middleton, Clerk.

Proclamation being made the Court is opened.

Nolan Imbau, Jordan F. Hycock, and Joseph Gitzinger, composing the firm of Imbau Hycock and Company.	In error to the Supreme Court of the State of Louisiana.
343 vs Plffs in Error.	
The Crescent City Live Stock Landing & Slaughter House Co.	

This cause came on to be heard on the transcript of the record from

the Supreme Court of the State of Louisiana, and on the motion of Mr J. D. A. Fellows of counsel for the plaintiffs in error, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby dismissed with costs.

per Mr Chief Justice Chase.

The Live Stock Dealers and Butchers Association of New Orleans.

245. vs Plaintiffs in Error,

The Crescent City Live Stock Landing & Slaughter House Company.

In error to the Supreme Court of the State of Louisiana

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana and on the motion of Mr J. D. A. Fellows of counsel for the plaintiffs in error, it is now here ordered and adjudged by this court, that the writ of error in this cause be, and the same

is hereby dismissed with costs.

per Mr Chief Justice Chase.

The Steamer "D. L. Hodge" No 2. Joseph A. Aitken, John H. Menge, and John Boardman. vs. Plaintiffs in Error, The Crescent City Live Stock, Landing and Slaughter House Company.

246

In Error to the Supreme Court of the State of Louisiana.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana, and on the motion of Mr J. A. Fellows of counsel for the plaintiffs in error, it is now here ordered and adjudged by this court that the writ of error in this cause be and the same is hereby dismissed with costs.

per Mr Chief Justice Chase.

The United States vs Menge Child et al.

153

Appellants.

The argument of this cause was continued by Mr

Davis of counsel for the appellees, and concluded by Mr Solicitor General Bruce of counsel for the appellants.

The United States.

154. vs Appellants. | Appeal from the Court of Claims.

Harriet Minis, administrator of Jacob Kedwine deceased.

This cause came on to be heard on the transcript of the record from the Court of Claims, and on the motion of Mr Assistant Attorney General Hall of counsel for the appellants it is now here ordered adjudged and decreed by this court, that this appeal be, and the same is hereby dismissed.

per Mr Chief Justice Chase.

Thursday October 19th 1871 continued

The United States. Appellants.
155. vs.
Jos. F. Mayes.

This cause was argued by Mr Assistant Attorney General Hill, and Mr Solicitor General Phillips, of Counsel for the appellants, and by Mr J. A. Wills of Counsel for the appellee.

Proclamation being made the court is adjourned until tomorrow morning at eleven o'clock.

Friday October 20th 1871.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase Chief Justice
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices.

Richard C. Parsons Esquire, Marshal
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Philip Phillips Esquire, it is ordered that David P. Lewis Esquire of Huntsville, State of Alabama, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

137	United States. vs. John Sidney.	Appellants.

On motion of Mr. Assistant Attorney General Hill, it is now here ordered by the Court that this cause be, and the same is hereby, continued to the next term.

317	Joseph A. Bradley vs. George P. Fisher.	Pff. in Error.

Mr J. M. Carlisle of counsel for the Plaintiff in error, having filed and read in open court a suggestion of a diminution of the record in this cause in the words, and figures following to wit:

"That the Clerk of the Supreme Court of the District of Columbia from which Court said cause comes on writ of error has omitted to include in said transcript the judgment rendered in said cause by the said Supreme Court of the District of Columbia."

By reason of which omissions and errors aforesaid, the said Counsel now has moved the Court to award a

writ of certiorari to be directed to the Judges of the Supreme Court of the District of Columbia, commanding them that searching the record and proceedings of said court in this cause they shall certify to this court under the seal of the said Supreme Court, whatever omissions & errors shall be found. On consideration whereof, it is now here ordered & adjudged by this court, that a writ of certiorari be, and the same is hereby awarded to be issued forthwith, and to be directed to the Judges of the Supreme Court of the District of Columbia, commanding them that searching the record & proceedings aforesaid they forthwith certify to this court under the seal of the said Supreme Court whatever omissions and errors shall be found, in this cause, and return the same with the said writ of certiorari forthwith to this court.

Per Mr Chief Jus. Chase.

William A. Fraeborn et al. Appellants. vs. The Ship Providor et al. | On the motion of Mr J. M. Carlisle, it

is now here ordered by the court that leave be and the same is hereby granted him to withdraw the original transcript of the record in this cause from the files of this court, by leaving with the clerk a receipt for the same.

No 53.

The Steamship "Western Metropolis" &c. Appellant vs John Low, junior. | Mr J. H Ashton of counsel for the appellants asked and obtained leave to file a motion to take out a commission to take further testimony in this cause

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214.

516.	The United States vs. Appellants. Henry Schaben.	Appeal from the Court of Claims

This cause came on to be heard on the transcript of the record from the Court of Claims, and on the motion of Mr Solicitor General Bristow of counsel for the appellants, it is now here ordered adjudged and decreed by this court that this appeal be, and the same is hereby dismissed.

per Mr Chief Justice Chase

516.	United States vs. Appellants Henry Schaben.	On the motion of Mr Solicitor General Bristow, it is now here ordered by the court that leave be granted the clerk to issue the mandate in this cause.

158.	The United States vs. Appellants D. W. Burns.	This cause was argued by Mr Assistant Attorney General Hill

and Mr Solicitor General Burton of counsel for the appellants and by Mr. M.H. Carpenter and Mr James Hughes of counsel for the appellee.

Proclamation being made the court is adjourned until Monday morning at eleven o'clock.

Monday October 23rd 1871.

Pursuant to adjournment the court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices.

Richard C. Parsons Esquire Marshal

David Wesley Middleton, Clerk.

Proclamation being made the court is opened.

On motion first made to the court in this behalf by Mr P. Phillips it is ordered that Nathaniel H. R. Dawson Esquire of Selma State of Alabama be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

On motion first made to the court in this behalf by Mr. T. H. Bayley it is ordered that William M. Coleman Esquire of Raleigh State of North Carolina be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

On motion first made to the court in this behalf by Mr H. M. Ruggles, it is ordered that Joseph Larocque Esquire of New York City be admitted to practice as an attorney & counsellor of this court, and he was sworn accordingly.

159.	Cyrus Carpenter Pl. Plaintiff in error vs R. D. Granger.	Ordered by the court that this cause be, and the same is hereby continued to the next term of this court.

160.	The Junction Railroad Company. vs The Bank of Ashland.	This Cause Plaintiff in error was

argued by Mr L. P. James of counsel for the plaintiff in error and by Mr A. G. Porter, and Mr W. K. Wadsworth of counsel for the defendant in error.

	The Providence Washington Ins. Co.	These
161.	vs. Plaintiff in error.	causes
	Lehman Huckberger et al.	argued
		by Mr
	The Merchants Insurance Co.	L. Trum
162.	vs Plaintiff in Error.	bull of
	Lehman Huckberger et al.	counsel
	and	for the
	The Arctic Insurance Co.	defend
163	vs. Plaintiff in error	ants in
	Lehman Huckberger et al.	error &
		submit

ted on printed arguments by Mr O. B. Sansum of counsel for the plaintiffs in error.

	Ira P. Wetmore	Ordered by the court
165	vs Plff in Error	that this cause be,
	Perry Lovell	and the same is
		hereby continued

to the next term of this court.

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166. Ben Holladay vs. Pfff. in Error. Thomas W. Kennard.

This cause was argued by Mr H. M. Ruggles of Counsel for the plaintiff in error, and by Mr Joseph Laroque of counsel for the defendant in error.

Proclamation being made the court is adjourned until tomorrow morning at eleven o'clock.

Tuesday, October 24th, 1871.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase, Chief Justice
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices

Richard C. Parsons Esquire, Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

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167 The Bank Delaware Vs. A. Richard Saumant & Oregon Iron Company, Appellants. Ordered by the Court that this cause be, and the same is hereby

continued to the next term of this Court. (per stipulation of counsel on file.)

George Alexander
165. vs. Appellant,
J. Rodriguez et al.

This cause was argued by Mr Montgomery Blair, and Mr F. A. Dick, of counsel for the appellant, and by Mr R. J. Brent, and Mr T. J. Crittenden of counsel for the appellees.

Proclamation being made the court is adjourned until tomorrow morning at eleven o'clock.

Wednesday October 23d. 1871.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase, Chief Justice
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices

Richard C. Parsons Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Conway Robinson it is ordered that John A. Meredith Esquire of Richmond State of Virginia be admitted to practice as an attorney & counsellor of this Court, and he was sworn accordingly.

The Providence Washington Ins Co.
161 vs Plaintiff in error.
Lehman Hutchberger et al.

The Merchants Insurance Co.
162 vs Plaintiff in error.
Lehman Hutchberger et al.
And
The Arctic Insurance Co.
163 vs Plaintiff in error
Lehman Hutchberger et al.

On the motion of Mr Pick with the consent of Mr Trumbull of counsel for the defendants in error, leave is hereby granted him to file additional brief and points on the part of the plaintiffs in error.

Joseph P. Thomas et al.
169 vs Plffs. in Error.
The City of Richmond

This cause was argued by Mr Conway Robinson of counsel for the plaintiffs in error, and by Mr J. A. Meredith of counsel for the defendant in error.

Joseph P. Thomas &c. &c. Plaintiffs in error
169 vs
The City of Richmond

On motion of Mr J. H. Meredith, it is now here ordered by the court, that leave be & the same is hereby granted the counsel for the defendant in error to file a printed brief in this cause within six days from this date, and it is further ordered that the counsel for the plaintiff in error, be also allowed six days after receiving a copy of said brief to file a reply thereto.

William T. Avery Plaintiff in error.
170 vs.
The United States.

This cause was argued by Mr Albert Pike of counsel for the plaintiff in error and by Mr Assistant Attorney General Hill, and Mr Solicitor General Bruton of counsel for the defendant in error.

Proclamation being made the court is adjourned until tomorrow morning at eleven o'clock.

Thursday October 26th 1871.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase Chief Justice.

Nathan Clifford
Noah H Swayne
Samuel F. Miller
David Davis
Stephen J. Field,
William Strong &
Joseph P. Bradley
} Associate Justices.

Richard C. Parsons Esquire, Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened

1871. The Hannibal & St Joseph Railroad Company. vs. Riffs in Error. Eben Swift.

This cause was argued by Mr Jas. Carr of Counsel for the plaintiff in error, and by Mr J. Rubey Ashton of counsel for the defendant in error.

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172. Benoi Julien Caujolle et al. vs. Cyrus Curtis et al. Appellants. | Ordered by the court that this cause be and the same is hereby passed for the present in consequence of the sickness of Mr Whitehead of counsel for the appellants and that the court will hear the case at such time as may be agreed upon by counsel.

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157. The United States vs John Silvey. Appellants | The motion to set aside and vacate the order of continuance entered in this cause, was argued by Mr James Hughes in support of the same, and by Mr Assistant Attorney General Hill in opposition thereto. Whereupon this court not being now here sufficiently advised of & concerning what order to render in the premises took time to consider.

The United States.	The motion to
173. vs. Appellants.	continue this
Thomas G. H. Cruselt.	cause was ar-

gued by Mr Assistant Attorney General Hoar, in support of the same, and by Mr James Hughes in opposition thereto. Whereupon this court not being now here sufficiently advised of, and concerning what order to render in the premises took time to consider.

Theodore D. Rodgers	This cause
174. (c.c.) Plaintiff in error	was argued
Louis E. Ritter et al.	by Mr M.

Blair of counsel for the plaintiff in error. No counsel appearing for the defendant in error.

Richard C. M. Lovell	In error to the
and Charles W. Stewart	Circuit Court
175. vs Plaintiffs in error.	of the United
The United States.	States, for the

District of Kentucky.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Kentucky, and on the motion of Mr Assistant Attorney General Hill, of counsel for the defendants in error, stating that the matters in controversy in this cause had been agreed and settled between the parties, it is now here ordered and adjudged by this court that the writ of error in this cause, be, and the same is hereby dismissed.

per Mr Chief Jus Chase.

James C. Geoge, and John S. Galbaugh: Pltffs in error
vs. to the Circuit Court
The United States of the United States,
1/6 for the District of Kentucky.

This cause came on to be heard on the transcript of the record from the Circuit Court of the

United States, for the District of Kentucky, and on the motion of Mr Assistant Attorney General Hill of counsel for the defendants in error stating that the matters in controversy in this cause had been agreed and settled between the parties, it is now here ordered and adjudged by this court, that the writ of error in this cause be, and the same is hereby dismissed.

per Mr Chief Justice Chase.

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177 The Steamboat "Syracuse" &c. vs. Thomas Langley. Appellants, | The argument of this cause was commenced by Mr R. D. Benedict of counsel for the appellants.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Friday October 27th 1871.

Pursuant to adjournment the court met this morning at the Capitol.

Present:

The Honorable Salmon P. Chase Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices.

Richard C. Parsons Esquire Marshal.

Daniel Wesley Middleton Clerk.

Proclamation being made the court is opened

On motion first made to the court in this behalf by Mr James Grant it is ordered that David T. Littler Esquire of Springfield State of Illinois be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

1133 S. P. Brown vs. Piff in error. John M. Jolly Cashier &c.

Mr F. P. Stanton of counsel for the defendant in error having filed and read in open court a suggestion of a diminution of the record in this cause, in the words and figures following to wit:

"That in the transcript filed in this Court, the endorsement of A L Grimes on the note for $898. 0/100 is in blank as will be seen at page 6. of the printed transcript, whereas in the original record, the endorsement of said A L Grimes on said note is filled up with the words "pay J. M. Jolly Cash, or order" the said words being erroneously omitted in the said transcript."

By reason of which omissions and errors aforesaid the said counsel now here moved the Court to award a writ of certiorari to be directed to the Judges of the Supreme

Court of the District of Columbia commanding them that searching the record and proceedings of said court in this cause they shall certify to this court under the seal of the said Supreme Court, whatever omissions and errors shall be found. On consideration whereof, it is now here ordered and adjudged by this Court that a writ of certiorari be & the same is hereby awarded to be issued forthwith and to be directed to the Judges of the Supreme Court of the District of Columbia commanding them that searching the record and proceedings aforesaid they forthwith certify to this court under the seal of the said Supreme Court whatever omissions and errors shall be found, in this cause, & return the same with the said writ of certiorari forthwith to this court

per Mr Chief Justice Chase.

1433 S. P. Brown vs. Piff in error. John M. Jolly Cashier &c.

Mr. P. P. Stanton of counsel for the defendant in error having filed and read in open court a suggestion of a diminution of the record in this cause, in the words and figures following to wit:

"That in the transcript filed in this Court, the endorsement of A L Grimes on the note for $898.00/100 is in blank, as will be seen at page 6. of the printed transcript, whereas in the original record, the endorsement of said A L Grimes on said note is filled up with the words "pay J. M. Jolly Cash., or order" the said words being erroneously omitted in the said transcript"

By reason of which omissions and errors aforesaid the said counsel now here moved the Court to award a writ of certiorari to be directed to the Judges of the Supreme

Court of the District of Columbia commanding them that searching the record and proceedings of said court in this cause they shall certify to this court under the seal of the said Supreme Court, whatever omissions and errors shall be found. On consideration whereof, it is now here ordered and adjudged by this court that a writ of certiorari be & the same is hereby awarded to be issued forthwith and to be directed to the Judges of the Supreme Court of the District of Columbia commanding them that searching the record and proceedings aforesaid they forthwith certify to this court under the seal of the said Supreme Court whatever omissions and errors shall be found, in this cause, & return the same with the said writ of certiorari forthwith to this court.

per Mr Chief Justice Chase.

Elias Ward,
301 vs. Pff in Error,
The State of
Maryland.

Mr Jones of counsel for the defendant in error moved the Court to advance this cause on the docket, and set it down for argument on the 21st or 22nd of November next. Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

The United States
152. vs. Appellants
Daniel Horner

Ordered by the Court that this cause be and the same is hereby continued to the next term of this Court.

John F. McCollum et al.
151 vs. Appellants
Mark Howard et al.

On motion of Mr Grant of counsel for the appellees it is now here ordered by

the Court that this cause be set down for argument on Tuesday next the 31st instant.

497.	The United States vs. Appellants Wm. Wheeler Hubbell and Wm. Wheeler Hubbell,	The motion to remand these cases to the Court of Claims, for other
498.	vs Appellant The United States.	

pendings, or for the evidence taken therein was argued by Mr. Assistant Attorney General Hill in support of the same, and by Mr. J. J. Comes in opposition thereto. Whereupon this Court not being now sufficiently advised of & concerning what order to render in the premises took time to consider.

514.	G. Jules Germain vs. Pfff in Error, James Mason et al.	The motion to dismiss this cause

for defect in writ of error was argued by Mr Nathaniel Wilson in support thereof and by Mr H Blair in opposition thereto. Whereupon this Court not being now here sufficiently advised of, and concerning what order to render in the premises took time to consider.

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177 The Steamboat "Syracuse &c." as Appellants. vs Thomas Singley. | The argument of this cause was continued by Mr R. D. Benedict of counsel for the appellants, by Mr James Carter of counsel for the appellee, and concluded by Mr Benedict for the appellants.

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178 William H. Chapman adm.r. vs. William H. Delay. Plaintiff in Error, | Ordered by the Court that this cause be, and the same is hereby continued to the next term of this

Court.

180.	Julius Wadsworth vs. Piff, in Error John B. Warren.	This cause was submitted to the consideration of the court on the record and printed argument by Mr John Van Heiman of counsel for the plaintiff in error, and by Mr Elliot Anthony and Mr C. F. Peck of counsel for the defendant in error.

Proclamation being made, the court is adjourned until Monday morning next at eleven o'clock.

Monday October 30th 1871.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase Chief Justice.
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices.

Richard C. Parsons Esquire Marshal.
Daniel Sterling Wharton, Clerk.

Proclamation being made the Court is opened.

On motion first made in the Court in this behalf by Mr James M. Carlisle, it is ordered that Richard H. Hunting Esquire of New York city be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the court in this behalf by Mr George H. Pas chal, it is ordered that A. H. Martin Esquire of Washington City District of Columbia be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

On motion first made to the court in this behalf by Mr T. J. Durant, it is ordered that G. W. Race Esquire of New Orleans, State of Louisiana be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

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153. The United States vs. A. P. Hollands, Henry Chad, Elon G. Ball, Elias H. Fox, and Fanny A. Chad. | Appeal from the Court of Claims

This cause came on to be heard on the transcript of the record.

from the Court of Claims, and was argued by Counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court, that the decree of the said Court of Claims in this cause be, and the same is hereby reversed. And that this cause be, and the same is hereby remanded to the said Court of Claims with directions to render judgment in favor of the United States.

per Mr Justice Miller

Dissenting:
Mr Justice Clifford
Mr Chief Justice Chase

Christian I. Hoffman, and Henry G Hennedy. Pffs. in error,
vs.
The National City Bank of Milwaukee

In error to the Circuit Court of the United States for the District of Wisconsin.

112

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Wisconsin, and was argued by Counsel. On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs. And that mandate be, and the same is hereby remanded to the Circuit Court of the United States for the Eastern District of Wisconsin. Per Mr Justice Clifford.

Jesse J. Cox, Robert Otis, Moses Harvey & James M Braynard, partners as Cox, Otis & Company.		In error to the Supreme Court of the State of Alabama.
116.	vs. Plaintiffs in error.	
Elisha B. Scott.		

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of

Alabama and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this court, that the judgment of the said Supreme Court in this cause be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Supreme Court, for further proceedings to be had therein in conformity to the opinion of this Court.

per Mr Justice Clifford

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147 The Mobile Trade Company, Plaintiff in error, vs. Elisha B. Hall. In error to the Supreme Court of the State of Alabama.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Alabama, and was argued by counsel. On consideration whereof, it

is now here ordered adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Supreme Court for further proceedings to be had therein in conformity to the opinion of this court.

per Mr Justice Clifford.

The State of Louisiana ex rel N. G. Hardin Plaintiff in error,	In error to the Supreme Court of the State of Louisiana.
96 vs. G. M. Hicklife, Auditor of Public Accounts of the State of Louisiana	

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana and was argued by counsel. On consideration whereof, it is now here ordered and

adjudged by this court that the judgment of the said Supreme Court, in this cause be, and the same is hereby affirmed with costs.

per Mr Chief Jus Chase.

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161. The Providence Washington Insurance Company vs. Plaintiff in Error Sebastian Kuchlberger, Benjamin Kuchlberger, and Moses Kuchlberger.

In error to the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said Circuit Court in this cause be, and the same is

hereby affirmed with costs & damages at the rate of ten per cent in addition to interest from the date of the judgment below, until paid at the same rate per annum that similar judgments bear in the courts of the State of Illinois. per Mr Chief Jus. Chase.

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163. The Merchants Insc Co. vs. Henry Isom Exr, Lehman Huckberger, Benjamin Huckberger & Hero Huckberger. | In error to the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard upon the transcript of the record of the record from the Circuit Court of the United States for the Northern District of Illinois and was argued by Counsel. On consideration whereof, it is now here ordered and adjudged by this court, that the judgment of

the said Circuit Court in this cause, be, and the same is hereby affirmed with costs and damages at the rate of ten per cent in addition to interest from the date of the judgment below, until paid at the same rate per annum, that similar judgments bear in the Courts of the State of Illinois.

per Mr Chief Justice Chase

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63. The Aetna Insurance Company. Plaintiff in Error vs. Lehman Kuchberger, Benjamin Kuchberger, & Mons Kuchberger. | Error to the Circuit Court

of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by Counsel. On consideration whereof, it is now

here ordered and adjudged by this court, that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs, and damages at the rate of ten per cent. in addition to interest from the date of the judgment below, until paid at the same rate per annum that similar judgments bear in the courts of the State of Illinois

per Mr Chief Justice Chase.

1497 The United States
vs
Appellants
Wm Wheeler Hubbell.
And
Wm Wheeler Hubbell.
1498 vs
Appellant
The United States

On consideration of the motion filed in this cause by Mr Assistant Attorney General Talcott it is ordered that these causes be remanded to the Court of Claims for other findings, or for the evidence taken therein, and of the argument of counsel thereupon

and, as well in support of, as against the same it is now here ordered by the Court that said motion be, and the same is hereby denied.

per Mr Chief Justice Chase.

Ellis Hard
vs
Jeffin Co.
The State of
Maryland.

On consideration of the motion filed in this cause by Mr Isaac D. Jones to advance this cause on the docket, and assign a day for argument, it is now here ordered by the Court that said motion be, and the same is hereby granted. And that this cause be, and the same is hereby set down for argument on Tuesday the 21st of November next.

The Chief Justice announced that the Court would not sit on Friday next but would hear motions on Thursday.

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181. John C. McCullum et al. vs. Mark Howard et al. Appellants | On the motion of Mr S. M.

Fuller it is now ordered by the court that this cause be assigned for argument on Thursday the 2nd day of November next.

183 John J. Robbins vs. The United States. Jeffin Error | In error to the Circuit Court of the United States for the District of Kentucky.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Kentucky, and on the motion of Mr Solicitor General Bates to dismiss this writ of error, On consideration whereof, it appearing to the court that the record shows no service of the citation

in this cause, it is now hereordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby dismissed.

Per Mr Chief Justice Chase.

Samuel S. Thorp et al. vs. Samuel S. Hammond et al.

154. Appellants

The argument of this cause was commenced by Mr D. McMahon, of Counsel for the appellants, and continued by Mr E. H. Hunkley of Counsel for the appellees.

Mr Attorney General Akerman here announced to the Court the death of the Honorable Thomas Ewing.

May it please the Court

On the twenty sixth day of this month, Thomas Ewing for more than forty five years, an eminent member

of this bar, died at his home in Ohio.
The members of the bar have taken
notice of this event by passing resolu-
tions which I have been charged with
the duty of laying before the Court.
Resolved. That the members of the
Bar of the Supreme Court of the Uni-
ted States, have received with profound
sensibility the announcement of the
death of the late Thomas Ewing of
Ohio, long and eminently distinguished
as a jurist and statesman
Resolved. that we hold in high celeb-
ration, the memory of the deceased,
as of one of the great men of the coun-
try, illustrious for public services, in
the councils of the nation and em-
inence and ability in the profession
of the law.
Resolved. that the Attorney General
of the United States be requested to
communicate these resolutions to
the Court with the request that
they may be entered on the records;
and further that they be communi-

mented to the family of the deceased, with the expression of the sympathies of this meeting

Mr Ewing was one of the foremost public men of a generation of which but few relics are with us now. He was a leader at every bar at which he appeared. Twice at the head of a department, and twice a Senator at memorable periods of our political history he was in those positions the worthy associate of illustrious men. It is proper that a tribute should be paid to his memory in this Capitol, which was the scene of some of his most distinguished labors as a statesman and a lawyer. This has been fully done by his professional brethren in the resolutions which I have read; and I ask your Honors to direct that they be entered on the records of the court.

The Chief Justice made the following reply:

The Court share with the Bar the sentiments expressed by their resolutions which will be ordered upon the records in accordance with their request.

We all feel that whatever honors can be paid to the memory of Mr Young are properly paid.

His is the record of a youth patient of toil and full of aspirations of a manhood worthily employed in various and honorable public trusts, and in forensic labors which gave us frequent occasion to note the remarkable grasp and vigor of his intellect, and the great variety and talent of his attainments; of a protracted and severe old age; and of a calm and peaceful death surround by children worthy of their father.

To family and friends, the death of a relative and friend so honored and beloved, however long deferred, comes always too soon. Counting ourselves as

not the least affectionate among the friends of Mr Ewing we yet find, and doubt, nōt that all near to him in friendship or relationship will also find Consolation, in reflecting upon the brightness of the example he has left for the emulation of his Countrymen.

Proclamation being made the Court is adjourned until tomorrow morning at eleven oclock.

Tuesday October 31st 1871.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase Chief Justice
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Associate Justices

Richard C. Parsons Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr George H. Paschal, it is ordered that George Earle Esquire of Washington City, District of Columbia, be admitted to practice as an attorney & counsellor of this Court and he was sworn accordingly.

154	Samuel S. Thorp et al. v. Samuel S. Hammond et al.	Appellants	The argument of this cause was continued by Mr R. H. Handley of Counsel for the appellees and concluded by Mr D. McMahon of Counsel for the appellants.

155	John Richey v. John S. Williams et ux.	Plaintiff	This cause was submitted to the consideration of the Court on the record and printed argument by Mr J. E. McDonald, and Mr A. S. Rusche of Counsel for the plaintiff and by Mr Solicitor General Bristow of Counsel for the defendant.

156	Le Roy Lyle Noble v. Jeff'n Error. Edw'd A. Miller	Defendant	The argument of this cause was commenced by Mr W. Lipford Bryan of Counsel for the Pl'ff in error continued by Mr A. Sterling & Mr G. C. Round of Counsel for the defendant in error.

Declaration being made the Court is adjourned until

Wednesday November 1st 1871.

Pursuant to adjournment the Court met this morning at the Capitol

Present.

The Honorable Salmon P. Chase Chief Justice
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices

Richard C. Parsons Esquire Marshal.
Lamar Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf, by Mr J. J. Durant, it is ordered that Charles H. Nelson Esquire of East Greenwich, State of Rhode Island and Andrew McCallum Esquire of Washington City, District of Columbia be, admitted to practice

as attorneys and counsellors of this Court, and they were sworn accordingly. ———

John S. Rodgers, J. M. Collins, Chs Strickland, & Buford Pleasant. Plaintiffs in Error, vs. Hiram Lincoln & Joshua Lincoln. | Mr. Nathan & Nelson of counsel for the defendants in Error

having filed and read in open court the following certificate to wit:

In the Supreme Court of Montana Territory, August Term thereof A. D. 1870.

Hiram Lincoln, and Joshua Lincoln Plaintiffs in Error. against John S. Rodgers, J. M. Collins Chs Strickland, & Buford Pleasant. Defendants & Respondents. | I, J. R. Allen Clerk of the Supreme Court of Montana Territory, do hereby certify that on the 9th day of August A. D. 1870, the

above entitled cause came on for hearing in said Court, and was fully argued by counsel, and submitted; that afterwards to wit, on the 10th day of September A.D. 1870, the said cause coming on for judgment in said Court on the appeal, the judgment thereof the Court below was reversed, and the cause remanded for a new trial; that afterwards to wit: on the 10th day of September A.D. 1870 the said defendants and respondents sued out a writ of error in said cause to the Supreme Court of the United States which said writ of error was duly filed in the office of the undersigned Clerk together with their undertaking on appeal and citation duly served; that afterwards to wit, on the 23rd day of December A.D. 1870 the transcript and papers on appeal in said cause were by me transmitted by Wells Fargo & Company express addressed

to Messrs Woolfolk and Toole, attorneys for the appellants in said cause, at Helena, in said Territory, at their request.

In testimony whereof, I have hereunto set my hand and affixed the seal of said Supreme Court at Virginia City in said Territory, on this 12th day of May A.D. 1871.

Seal

J. R. Allen
Clerk"

And having stated to the Court that the plaintiffs in error had altogether failed to file the record of said cause in this Court, or in anyway to prosecute said writ of error now here moved the Court in pursuance of the 9th rule of this Court to have this writ of error docketed & dismissed. On consideration whereof, it is now here ordered and adjudged by this Court that this writ of error from the Supreme Court of Montana Ter-

siding be, and the same is hereby decreed and dismissed with costs, And that this cause be, and the same is hereby remanded to the said Supreme Court for further proceedings to be had therein in conformity to law and justice the said writ of error notwithstanding.

per Mr Chief Justice Chase.

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86. The Brooklyn Life Insurance Company vs. Plaintiff in Error

The argument of this cause was continued by Mr George C. Maund of counsel for the defendant in error, and concluded by Mr H. Shepherd Bryan of counsel for the plaintiff in error.

Officers and Crews of U.S. Ships of War Monmouth et al. vs. The United States, Appellants

187.

This cause was argued by Mr Charles Cowley, and Mr Charles Dan Hoadley of counsel for the appellants and by Mr Assistant Attorney General Hall of counsel for the appellees.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Thursday November 2nd 1871.

Pursuant to adjournment the court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices

Richard C. Parsons Esquire Marshal.
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the court in this behalf by Mr Attorney General Akerman it is ordered that George P. Fisher Esquire of Washington City District of Columbia be admitted to practice as an attorney and Counsellor of this court and he was sworn accordingly.

John F. Delmas.	The argument
113. vs. Plaintiffs in error.	of the motion
The Mechanics Mutual	to dismiss the
Insurance Company.	writ of error

in this cause was commenced by Mr. F. G. Riddle in support of the same. Further argument postponed until the argument on the merits.

Reuben Tomlinson. The South	In error
Carolina R.R.Co. James N. Grice.	to the Cir-
F. Lennan, E. D. Hollonquist,	cuit Court
J. H. Denny, John Hoole, R. D.	of the Unit-
De Saussure, & S. J. Coghlan.	ed States,
554 vs. Plaintiffs in Error.	for the
Thomas Branch, John F. Branch,	District
Frederick R. Scott, & Thomas F.	of South
Branch, as Branch Sons & Company.	Carolina.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of South Carolina, and on the motion of Mr. T. J. D. Fuller of counsel for

the plaintiffs in error, it is now here ordered and adjudged by this court, that the writ of error in this cause be, and the same is hereby dismissed with costs.

per Mr Chief Justice Chase.

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554. Reuben Tomlison et al. vs Branch, Sons & Company. Plaintiffs in error

On motion of Mr J. J. Fuller it is now here ordered by the Court that leave be, and the same is hereby granted him to withdraw from the files of the court, the transcript of the record in this cause, by filing with the clerk a receipt for the same.

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217. The United States vs The Heirs of Juan Bautista Vigil deceased. Appellants

Mr Solicitor General Bristow asked and obtained leave to file original papers in this cause to be used as exhibits, on the argument of the cause.

181 John T. McCallum et al. vs. Appellants Mark Howard et al. and

209 Mark Howard et al. vs. Appellants John T. McCallum et al.

These appeals were argued by Mr S. H. Fuller of counsel for Mc. Callum et al, and by Mr James Grant for Howard et ab.

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181 John T. McCallum et al. vs. Appellants, Mark Howard et al. and

209 Mark Howard et al. vs. Appellants John T. McCallum et al.

On motion of Mr S. H. Fuller leave is hereby granted Mr Fuller to file a printed brief in these cases on behalf of McCallum et al, within one week from this date.

Proclamation being made the Court is adjourned until Monday morning next at eleven o'clock.

Monday November 6th 1871.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Salmon P. Chase, Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis,
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices.

Richard C. Parsons Esquire Marshal
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

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160 The Junction R.R. Co. vs. The Bank of Ashland. Pltff in error, | In error to the Circuit Court of the United States for the District of Indiana.

This cause came on to be heard on the transcript of the record

from the Circuit Court of the United States for the District of Indiana, and was argued by Counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the courts of the State of Louisiana.

per Mr Justice Bradley.

	Pen Holladay	In error to the Circuit
166.	vs. Pltff in Error,	Court of the United
	Thomas H. Kennard	States for the Southern
		District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by Counsel. On consideration whereof, it is now here ordered and adjudged by this court, that the

judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs & interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of New York.

per Mr Justice Bradley.

The Howard Fire Ins Co. Plaintiff in Error,
130 vs.
The Norwich & New York Transportation Company.

In error to the Circuit Court of the United States for the District of Connecticut.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Connecticut, and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause, be, and the

cause is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Connecticut.

per. Mr Justice Strong.

The Western Massachusetts Insurance Company. Plaintiff in error
vs
The Norwich and New York Transportation Company.

In error to the Circuit Court of the United States for the District of Connecticut.

131.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Connecticut, and was argued by counsel On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs and interest

until paid at the same rate per annum that similar judgments bear in the Courts of the State of Connecticut. per Mr Justice Strong.

The United States,
135. vs. Appellants
Joseph T. Mayes, administrator of Sarah Alexander, deceased.

Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims and was argued by counsel. On consideration whereof, it is now here ordered adjudged and decreed by this Court, that the decree of the said Court of Claims in this cause be, and the same is hereby reversed. And that this cause be, and the same is hereby remanded to the said Court of Claims with directions to dismiss the plaintiffs suit.

per Mr Justice Strong.

158.	The United States, Appellants, vs. William H. Burns.	Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, it is now here ordered adjudged and decreed by this court, that the decree of the said Court of Claims in this cause be, and the same is hereby affirmed. per Mr Justice Field.

177.	The Steamboat Syracuse &c. The Albany Canal Company. Claimants. vs. Thomas Langley. Appellants.	Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the

United States for the Southern District of New York, and was argued by counsel. On consideration whereof, it is now here ordered adjudged & decreed by this court, that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs and interest until paid at the same rate per annum that decrees bear in the courts of the State of New York.

per Mr Justice Davis.

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514. Jules Germain vs. James Mason et al. | On consideration of the motion filed by Mr N. Wilson, to dismiss this writ of error, and of the argument of counsel thereupon had, as well in support of, as against the same, it is now here ordered by the court that said motion be, and the same is hereby denied.

per Mr Justice Miller.

	Robert Burk, and Ernest C. Angelrodt,	In error to the Circuit Court of the United States for the District of
112	vs. Piffs in error.	
	William H. Clise.	

Wisconsin.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Wisconsin and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said Circuit Court, in this cause be, and the same is hereby affirmed with costs, And that this cause be, and the same is hereby remanded to the Circuit Court of the United States for the Eastern District of Wisconsin.

per Mr Justice Swayne.

157. The United States vs. John Silvey, Appellant | On consideration of the motion filed in this cause by Mr James Hughes to set aside and vacate the order of continuance entered in this cause, and of the argument of counsel thereupon had as well in support of as against the same, it is now here ordered by the Court that said motion be, and the same is hereby denied.

per Mr Chief Justice Chase.

173 The United States vs Thomas G. H. Cromwell, Appellant | On consideration of the motion filed by Mr Assistant Attorney General Hill to continue this cause, and of the argument of counsel thereupon had as well in support of as against the same it is now here ordered by the Court that said motion be, and the same is hereby granted. And that this

cause be, and the same is hereby continued to the next term.

per Mr Chief Justice Chase.

Commonwealth of Kentucky, &c. ex rel: Preston H. Leslie, governor.
vs.
George S. Boutwell, Secretary of the Treasury.

On consideration of the petition for leave to file an application for a writ of mandamus to issue directed to Geo. S. Boutwell &c it is now hereordered by the court that the leave prayed for, be, and the same is hereby granted. And the court will hear argument on next Friday week, the 17th inst, as on the motion for a rule to show cause &c. per Mr Chief Justice Chase.

R. M. Bromaker et al.
vs. in Pffs. in error,
E. H. Kingsbury.

The argument of this cause was commenced by Mr J. Pilsbury of Counsel for the Pffs in error and continued by Mr Geo Earle and Mr Geo H. Paschal, of counsel for the deft in error.

Proclamation being made the court is adjourned

Tuesday November 7th 1871.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley

} Associate Justices.

Richard C. Parsons Esquire Marshal.

David Hesley Middleton, Clerk.

Proclamation being made the Court is opened.

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157. The United States vs Appellants / Azariah Mims adm^r. | On motion of Mr Hughes with the consent of Mr Solicitor General Bristow, it is ordered that leave be granted the Clerk to issue the mandate in this cause.

199	W. J. Turbeville et al. vs. Pfeffs in error, R. Houston, admr. and J. M. Ewin & W. J. Turbeville vs. Pfeffs. in Error R. Houston, admr.	Mr. T. J. Durant in behalf of Mr. R. J. Meigs who appears for Mr Maynard of Counsel for the defendants in error, for the purpose of making this motion suggests the death of W. J. Turbeville one of the plaintiffs in error in these cases.

158.	R. M. Shoemaker et al. vs Plaintiffs in error, S. H. Knigsbury.	The argument of this cause was continued by Mr George H. Pendleton of counsel for the defendant in error, and concluded by Mr W. F. Otto of counsel for the plaintiffs in error.

189	Daniel Edwards vs Piff in Error Ends Jannered.	This cause was argued by Mr J. J. Reed of Counsel for the plaintiff in error, and by Mr Thomas J. Durant of counsel for the defendant in error.

190	Samuel H. Smith vs. Piff. in Error. Joseph F. Shirley	This cause was submitted to the consideration of the court on the record and printed arguments by Mr J. M. Wadsworth of counsel for the plaintiff in error, and by Mr J. J. Reddick of counsel for the defendant in error.

191	Mary G. Curtis vs Piff in error Jonathan Whitney et al.	Ordered by the Court that this cause be, and the same is hereby continued to the next term of this court.

149	N. J. Turbeville et al. vs. Pltffs in error, R. Houston, admr. and J. H. Emmit & N. J. Turbeville vs. Pltffs. in Error R. Houston, admr.	Mr. T. J. Durant on behalf of Mr R. J. Meigs who appears for Mr Maynard of Counsel for the defendants in error, for the purpose of making this motion suggests the death of N. J. Turbeville one of the plaintiffs in error in these cases.

158.	R. M. Shoemaker et al. vs Plaintiffs in error, S. H. Knigsbury.	The argument of this cause was continued by Mr George H. Pendal of counsel for the defendant in error, and concluded by Mr N. Tillo of counsel for the plaintiffs in error.

189	Daniel Edwards vs Piff in Error Emile Tannert.	This cause was argued by Mr J. J. Reed of Counsel for the plaintiff in error, and by Mr Thomas J. Durant of counsel for the defendant in error.

190	Samuel N. Smith vs. Piff. in Error. Joseph F. Shirley	This cause was submitted to the consideration of the Court on the record and printed arguments by Mr J. M. Wadsworth of counsel for the plaintiff in error, and by Mr J. J. Reddick of counsel for the defendant in error.

191	Mary G. Curtis vs Piff in error Jonathan Whitney et al	Ordered by the Court that this cause be, and the same is hereby continued to the next term of this court.

192	Albert Baldwin et al. vs. Appellants. Joseph Alexander.	Ordered by the Court that this cause be, and the same is hereby continued to the next term of this Court.

Order of Court.

Ordered. That all cases continued at this term, after Monday next, the 13th instant, will be put at the foot of the Calender of the next term unless otherwise specially ordered by the Court.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Wednesday November 8th 1871.

Pursuant to adjournment the court met this morning at the Capitol.

Present:

The Honorable Salmon P. Chase Chief Justice.
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices.

Richard C. Parsons Esquire Marshal.
Daniel Wesley Middleton, Clerk.

Proclamation being made the court is opened.

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193. J. R. Smith vs Appellant. George Mason.

The argument of this cause was commenced by Mr J. H. Moore of counsel for the appellant, continued by Mr G. H. Paschal of counsel for the appellee, and concluded by Mr Moore for the appellant.

196	Louis Hanauer et al. vs Piff's in Error Samuel H. Doane	This cause was submitted to the consideration of the court on the record & printed argument by Mr Watkins and Mr Rose of counsel for the plaintiffs in error, and by Mr. A. A. Garland of counsel for the defendant in error.

197	The Steamer "N H Holt" vs Appellant- H. A. Darling et al.	Ordered by the court that this cause be, and the same is hereby continued to the next term of this court. (Per stipulation of counsel on file.)

198	H. J. Holmes et al. vs Appellants. A. H. Sevier and Henry T. Osborne vs Piff in error. J. A. G. Nicholson et al.	These cases were argued by Mr P. Phillips of counsel for the appellants in 198, and for the plaintiff in error

in 222 and submitted on printed argument by Mr J. F. Clark for appellants, in 198, and Mr A. H. Garland for the plaintiff in error in 222. and by Watkins and Rose of counsel for the defendant in error in 198, and appellees in 222.

199	N. J. Turbeville et al. vs. R. Houston, admr	Ordered by the Court that this Cause be

and the same is hereby continued to the next term of this Court.

200	J. H. Erwin et al. vs. Peffs. in Error R. Houston, admr	Ordered by the Court that this Cause be, and the same

is hereby continued to the next term of this Court.

J. A. Parker vs. P. S. Piff in Error. H. L. Staley	This cause was submitted to the consideration of the Court on the record and printed argument by Mr J. J. Reddick of counsel for the defendant in error.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven o'clock.

Thursday November 9th 1871.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley

} Associate Justices

Richard C. Parsons Esquire Marshal
Daniel Healey Middleton Clerk.

Proclamation being made the Court is opened.

The New Orleans and Ohio Railroad Company. vs. H. P. Mellen. Appellants

202

This cause was argued by Mr J. D. McPherson and Mr J. M. Carlisle, of counsel for the appellants, and by Mr Solicitor General Bristow, and Mr Assistant

Attorney General Hall of counsel for the appellee.

203	J. J. Townsend Exr. vs E. Chappell et ab	Appellant	This cause was argued by Mr J. J. Townsend for the appellant, and submitted on printed arguments by Mr George H. Baker and Mr H. H. Cothran of counsel for the appellees

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v. 6.	Charles G. Scott vs The United States.	Appellant	This cause was submitted to the consideration of the Court on the transcript and printed arguments by Mr A. H. Garland, Mr A. P. Chipman, and Mr E. H. Skinner of counsel for the appellant, and by Mr Solicitor General Bristow and Mr Assistant Attorney General Hall of counsel for the appellees.

	Marc Louis, and Baudman Perrin.	This cause was argued by Mr H. H. Boyce of Counsel for the appellants;
211	vs. Appellants.	
	The United States.	

The Court declined hearing further argument on this cause.

	The Milwaukee and Minnesota Railroad Co.	Ordered by the Court that this cause be, and the
213	vs. Appellant	
	James T. Sawtell.	

same is hereby continued to the next term of this Court.

	The East Saginaw Salt Manufacturing Co.	Ordered by the Court that this
214	vs. Plff in Error	
	The City of East Saginaw	cause be, and the

same is hereby continued to the next term of this Court.

316	Beverly Tompkins et al. vs. Alfred A. Thornton	Appellants.	Ordered by the court that this cause be, and the same is hereby continued to the next term of this court.

217	The United States vs Heirs of J. B. Vigil	Appellants	On motion of Mr Solicitor General Bristow, and request of counsel for the appellees, it is now here ordered by the court that this cause be, and the same is hereby continued to the next term of this court.

220	The United States vs John H. Russell	Appellants	This cause was argued by Mr Assistant Attorney General Hill and Mr Solicitor General Bristow of counsel for the appellants, and by Mr H. P. Clarke for the appellee and submitted

On printed argument by Mr Corwine of counsel for the appellee.

221.	Charles Shultz vs. Pliff in Error. Noah Thompson et al.	Ordered by the Court that this cause be, and the same is hereby continued to the next term. (See stipulation of counsel on file.)

Proclamation being made, the Court is adjourned until tomorrow morning at eleven o'clock.

Friday November 10th 1871.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley.

} Associate Justices.

Richard C. Parsons Esquire Marshal.
Daniel Haley Middleton Clerk.

Proclamation being made the Court is opened.

	The United States vs. Fiffs in Error, Alfred Hugo et al.	Ordered by the Court that this cause be and the same is hereby continued to the next term. (per stipulation of counsel on file.)
229		

William Carlton et al. Appellants.
230 vs.
Howard Baker. -

Ordered by the Court that this Cause be, and the same is hereby continued to the next term. (For stipulation of counsel on file.)

Jabez Dooley
232. vs Plff in error.
Enoch Smith.

On motion of Mr Solicitor General Bristow in behalf of Mr Jared Davis, of Counsel for the plaintiff in error, and consent of Mr H. H. Wadsworth of counsel for the defendant in error, it is now here ordered by the Court that this cause be, and the same is hereby continued to the next term.

The County of Bath et al.
233 vs. Plffs in Error,
Henry Army.

On motion of Mr Rev. Ody Johnson in behalf of Mr J. B. Beck of Counsel for the plaintiff in error, it is

Friday November 10th 1871.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley.
} Associate Justices.

Richard C. Parsons Esquire Marshal.

Daniel Henry Middleton Clerk.

Proclamation being made the Court is opened.

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229 The United States vs. Riggs in Error, Alfred Hugo et al.

Ordered by the Court that this Cause be, and the same is hereby continued to the next term. (per stipulation of Counsel on file.)

230	William Carlton et al. vs. Howard Baker.	Appellants. Ordered by the Court that this cause be,

and the same is hereby continued to the next term. (See stipulation of counsel on file.)

232.	Jabez Dooley vs Piffin'error. Enoch Smith.	On motion of Mr Solicitor General Brisbin on behalf of Mr Garret Davis,

of counsel for the plaintiff in error, and consent of Mr H. H. Wadsworth of counsel for the defendant in error, it is now here ordered by the court that this cause be, and the same is hereby continued to the next term.

233	The County of Bath et al. vs. Pliffs in Error, Henry Army.	On motion of Mr Rec- ordy Johnson on be

half of Mr J. B. Beck of counsel for the plaintiff in error, it is

now here ordered by the Court that this cause be, and the same is hereby continued to the next term.

	The Nicholson Pavement Co.	On motion
250	vs Plaintiff in Error.	of Mr T. T.
	Charles E. Jenkins.	Cullen-

den, and consent of Mr M. H. Carpenter, it is now here ordered by the Court that this cause be, and the same is hereby continued to the next term.

	Hugo Bruswell	On motion of
255	vs Piff in Error	Mr T. T. Cullen-
	The State of Illinois	den in behalf

of Mr M. H. Carpenter, it is now here ordered by the Court that this cause be, and the same is hereby continued to the next term.

	The Chicago & N. W. R. R. Co.	Ordered by the
258	vs Plaintiffs in error	Court that
	Henry K. Whiton, admr.	this cause

&c, and the cause is hereby continued to the next term. (per stipulation of counsel on file.)

The Steamship "Western Metropolis &c. -
2821. vs Appellant,
John Low, junior.

Re motion for a commission to take further testimony in this cause was argued by Mr J. H. Ashton in support thereof, and by Mr E. C. Benedict in opposition thereto.

The Steamship "Western Metropolis &c.
2821. vs Appellant,
John Low, junior.

On consideration of the motion filed in this cause by Mr J. H. Ashton, for a commission to take further testimony, and of the arguments of counsel thereupon had, as well in support of as against the same - and of the affidavits filed - it is now here ordered by the court

that a commission issue out of this court directed to Joshua Ames Esquire United States Commissioner, Boston Massachusetts, to take the testimony on interrogatories to be annexed thereto of Ebenezer D. Campbell and Alexander McDougal.

And it is further ordered that a commission also issue out of this court to John A. Osborn Esq U.S. Commissioner, City of New York, to take the testimony of John Roberts on interrogatories to be annexed thereto.

And it is further ordered that such commissions be not issued except upon interrogatories to be filed by the appellant, and notice to the appellee or his agent or counsel accompanied with a copy of said interrogatories as filed, to file cross interrogatories within ten days from the service of such notice.

per Mr Chief Justice Chase.

Friday November 10th 1854 continued.

The Steamship "Western Metropolis"		Ordered by the Court that this cause be and the same is hereby continued to the next term.
284.	vs Appellant	
John Low, junior		

The Northern R.R. Co. et al.		The motion to dismiss the writ of error in this
367.	vs. Plaintiffs in error.	
The People of the State of New York.		

cause was argued by Mr. J. H. Ashton and Mr. W. M. Evarts, in support thereof, and by Mr. C. Cushing in opposition thereto. Whereupon this Court not being now fully sufficiently advised of, and concerning what order to render in the premises took time to consider.

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that a commission issue out of this court directed to Fisher Ames Esquire United States Commissioner, Boston Massachusetts, to take the testimony on interrogatories to be annexed thereto of Ellen D. Campbell and Alexander McDougal.

And it is further ordered that a commission also issue out of this court to John A. Osborn Esq U.S. Commissioner, City of New York, to take the testimony of John Roberts on interrogatories to be annexed thereto.

And it is further ordered that such commissions be not issued except upon interrogatories to be filed by the appellant, and notice to the appellee or his agent or counsel accompanied with a copy of said interrogatories so filed, to file cross interrogatories within ten days from the service of such notice.

per Mr Chief Justice Chase.

Friday November 10th 1871 continued.

284	The Steamship "Western Metropolis" vs John Low, junior	Appellant	Ordered by the Court that this cause be and the same is hereby continued to the next term.

367	The Northern R.R. Co. et al. vs The People of the State of New York.	Plaintiffs in error	The motion to dismiss the writ of error in this cause was argued by Mr J. H. Ashton and Mr H. M. Evarts, in support thereof, and by Mr C. Cushing in opposition thereto. Whereupon this Court not being now fully advised of and concerning what order to render in the premises took time to consider.

223 The United States
vs. Appellants
Thomas Clyde,
and
224 Thomas Clyde
vs Appellant
The United States.

These cases were argued by Mr C. F. Peck, and Mr F. J. Durand, of counsel for Clyde, the claimant, and by Mr Assistant Attorney General Hall, and Mr Solicitor General Breckinridge of counsel for the United States.

Proclamation being made the Court is adjourned until Monday morning next at Eleven o'clock.

Monday, November 13th. 1871.

Pursuant to adjournment the court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices.

Richard C. Parsons Esquire Marshal.
Daniel Hesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the court in this behalf by Mr H. H. Boyce it is ordered that M. P. O'Connor Esquire of Charleston State of South Carolina be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

180.	Julius Hadsworth vs Plaintiff in error. John S. Warren.	In error to the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, it is now ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

per Mr Justice Strong.

179	William T. Story vs Plff in Error. The United States.	In Error to the Circuit Court of the United States for the District of West Tennessee.

This cause came on to be heard on

it be heard on the transcript of the record from the Circuit Court of the United States for the District of West Tennessee and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed.

per Mr Justice Daniel.

Alfred Kearny. vs. Piffin & Ervin, Charles Case, Executor, of the 1st National Bank of New Orleans.

150.

In error to the Circuit Court of the United States for the District of Louisiana

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this

Court, that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with Costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Louisiana.

per Mr Justice Miller.

The Northern R.R. Co. John L. Lorenz, F. Clapp, J. G. Jessup, R. A. D. Richards, J. Lorenz, G. A. Plumer, A. H. Chamberlain, C. S. Kimball, J. A. Andrew, G. K. Plummer, G. A. Reed, H. H. Gregerson, John Doe et al. Plaintiffs in Error. vs. The People of the State of New York

In error to the Supreme Court of the State of New York.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of New York, being possessed of the

Record and proceedings upon a
transcript from the Court of Appeals
of the State of New York, and on the
motion of Mr Evarts and Mr Bidwell
of Counsel for the defendants in error,
to dismiss this case. On consideration
whereof it is now here ordered adjudged
and decreed by this court, that the
writ of error in this cause be, and
the same is hereby dismissed for
the want of jurisdiction.
per Mr Justice Miller.

John L. Knox Jr. et al.
vs. Pitts in Error.
Exchange Bank of Virginia.

500.

Ordered by the
Court that the
motion to
reinstate this
cause be, and the same is hereby
overruled. per Mr Justice Miller.

George Alexander
vs. Appellant
Jacinto Rodriguez.
Possession & Title, Spain
State & Ill State & Fra. State

Appeal from the
Circuit Court
of the United
States for the
District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of California, and was argued by counsel. On consideration whereof, it is now here ordered adjudged and decreed by this court, that the decree of the said Circuit Court in this cause be, and the same is hereby reversed with costs - and that this cause be, and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein, in conformity with the opinion of this court

per Mr Justice Swayne.

The Brooklyn Life Insurance Company, Plaintiff in Error, vs Eben N. M. Miller.

156. In Error to the Circuit Court of the United States for the District of Maryland.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maryland and was argued by Counsel On consideration whereof it is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with Costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Maryland.

per Mr Justice Clifford.

John A. Parker, Plff in Error, vs Henry Lo Insley. | In error to the Circuit Court of the United States for the

201. District of Nebraska

This cause came on to be heard on the transcript of the record from the Circuit Court of the

United States for the District of Nebraska, and was argued by Counsel. On consideration whereof, it is now here ordered and adjudged by this Court, that the writ of error in this cause be, and the same is hereby dismissed with costs.

per Mr Justice Clifford.

Mary Louise Perin, and Chadman Perin. 211 vs. Appellants, The United States. | Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by Counsel. On consideration whereof, it is now here ordered adjudged & decreed by this Court that the decree of the said Court of Claims in this cause be, and the same is hereby affirmed.

per Mr Justice Clifford.

236.	Eber B. Ward. vs. Plff in Error. The United States	On the motion of Mr Solicitor General Bristow it is

now here ordered by the Court that this cause, be, and the same is hereby continued to the next Term.

226	George J. Pumpelly. vs. Plff in Error. The Green Bay and Mississippi Canal Company.	On the motion of Mr Solicitor General Bristow on behalf of Counsel in

the case it is now here ordered by the Court that this cause be, and the same is hereby continued to the next term.

212	Isaac G. French vs. Plff in Error Thomas Edwards et al.	On motion of Mr E. Wasserby of Counsel for the defendant

in error, it is now here ordered by the Court that this cause, be,

and the same is hereby continued to the next term - but order that the continuance be stricken out if desired by the counsel for the plaintiff in error.

H. H. Christmas et al. Appellants.
269 vs
H. A. Gurney et al, Exrs

Ordered by the Court that the motion of Mr Ashton to continue this cause, to the next term, be, and the same is hereby denied.

The Butchers Benev. Ass. of New Orleans. Pffs in Error.
244 vs
The Mc. L. L. Slaughter House Co.

Paul Esteban et al. Pffs. in Error,
247 vs
The State of La ex rel. S. Behan Atty Genl.
And
The Butchers Benev. Association of New Orleans. Plaintiffs in Error
246 vs
The Mc. L. L. Slaughter House Co

Ordered by the Court that the motion of Mr J. S. Black to continue this cause to the next

term, be and the same is hereby denied.

	The Trustees of Jefferson College	On the
238	vs Plaintiffs in Error	motion
	Washington & Jefferson College.	of Mr
		J.S. Black
	Francis J. Collier et al.	it is
239	vs. Plffs. in Error	now ho
	Washington & Jefferson College,	ordered
	and	by the
	David C. Houston et al.	Court
240	vs. Plffs. in Error	that
	Washington & Jefferson College.	these
		cases

be and the same are hereby continued to the next term.

	William B. Webb, Trustee	This cause
230	vs. Plff in Error;	was sub-
	Alexander Sharp.	mitted to
		the con-

sideration of the court on the record and printed arguments by Mr S. S. Knuckle of counsel for the plaintiff in error and by Mr W. F.

Mullingly of counsel for the defendant in error.

Charles K. Marshall 252. vs Appellant The Mayor &c. of Vicksburg.	On the motion of Mr P. Phillips it is now here ordered by the court that this cause, &c, and the same is hereby continued to the next term.

The People of the State of New York. Dec. vs. Pffs. in Error The Central Railroad Company of New Jersey.	Ordered by the court that this cause be, and the same is hereby continued to

the next term.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Tuesday November 14th 1871.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase Chief Justice
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices.

Richard C. Parsons Esquire Marshal
Daniel Wesley Middleton Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Assistant Attorney General Hill, it is ordered that Henry E. Knox Esquire of New York City, be admitted to practice as an attorney & counsellor of this Court, and he was sworn accordingly.

	Margaret Janeway admx.	This cause
228.	vs. Plaintiff in Error.	was sub-
	Tilford Denton.	mitted

to the consideration of the Court on the transcript of the record. No briefs or arguments filed by counsel on either side.

	The United States	This cause was
234.	vs Appellants	argued by Mr
	John H. Kimball et al.	Assistant Attorney General

Hall of counsel for the appellants, and by Mr C. F. Peck and Mr T. J. Durant of counsel for the appellees.

	The United States.	This cause was
235	vs Plff in Error,	argued by Mr
	Elijah Tarble	Solicitor Gnal

Bristow of counsel for the plaintiffs in error. No counsel appearing for the defendant in error.

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236. Samuel A. Cooley et al. vs. Mary O'Connor. | Plaintiffs in error. | This cause was submitted to the consideration of the Court on the record and printed arguments by Mr Solicitor General Bristow and Mr Assistant Attorney General Hill of counsel for the plaintiffs in error and by Mr H. M. Boyce, and Mr M. P. Conner of counsel for the defendant in error.

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237. The United States vs Edward Charles Mynders. | Plaintiffs | This cause was submitted to the consideration of the Court on the record and printed arguments by Mr Solicitor General Bristow of Counsel for the plaintiffs. No Counsel appearing for the defendants.

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211 John S. Toof et al vs. Appellants
Rufus K. Martin &c.

This cause was submitted to the consideration of the Court on the record and printed argument by Mr A. H. Garland of counsel for the appellants, and by Mr Watkins & Mr Cox of counsel for the appellee.

The Dutchess Benev. Assn of New Orleans.
214 vs. Plffs in Error
The L. C. & L. Landing & Slaughter House Compy.

Paul Esteban et al,
215 vs Plffs in Error.
The State of Louisiana ex rel S. Belden Atty Genl.

And.

The Dutchess Benev. Assn. of New Orleans,
214 vs Plffs in Error.
The L. C. & L. S. Landing & Slaughter House Compy.

The motion of Mr Black to continue these cases was argued by him in support thereof, and by Mr J. A. Campbell in opposition thereto. Whereupon this Court not being now here sufficiently

ordered of and concerning what order to render in the premises direct that these cases be passed until tomorrow.

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361. George A. Black, vs Piffin Error, Dame R. Curran. | This cause was submitted to the consideration of the Court on the record and printed argument by Mr S. Trumbull of counsel for the plaintiff in Error and by Mr Jackson Grimshaw for the defendant in error.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Wednesday November 15th 1871.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices

Richard C. Parsons Esquire Marshal.
Daniel Henry Mineaton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Solicitor General Bruton, it is ordered that Charles R. Ingersoll Esquire of New Haven State of Connecticut, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Wm S. U. Penny, it is ordered that Philip C. Spooner Esquire of Madison Shall & is hereby admitted to practice as an attorney and Counsellor of this Court, and he was sworn accordingly.

The Butchers Benevt. Asso of New Orleans.
244. vs Plaintiffs in Error,
The C. C. & S. Landing and Slaughter House Company.

Paul Esteban et al.
247. vs. Plffs. in Error,
The State of La. ex rel S. Belden, Atty General.

and

The Butchers Benevolent Asso. of New Orleans
248. vs. Plffs. in Error.
The C. C. & S. Landing and Slaughter House Company.

On consideration of the motion of the Attorney of the Plaintiffs to continue these cases and of the argument of Counsel thereupon had, as well in support of, as against the same, it is now here ordered

by the Court that said motion be, and the same is hereby granted.

The New York Life Insurance Company
964 vs. Plff in Error,
Mary Ann Clopton,
Nannie Burks et al.

In error to the Court of Appeals of the State of Kentucky.

This cause came on to be heard on the transcript of the record from the State of Kentucky, and on the motion of Mr. B. H. Bristow of counsel for the plaintiff in error, it is now here ordered and adjudged by this Court, that the writ of error in this cause be, and the same is hereby dismissed with costs.

per Mr Chief Justice Chase.

The Lamar v. New York
Transportation Company.
517 vs. Appellant
Wm. A. Wright, et al.

Ordered by the Court that this cause be, and the same is hereby continued

to the next term. (special.)

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304. The New Haven Steam Transportation Company. vs. The Steamboat Continental &c. Appellants

Ordered by the Court that this cause be, and the same is hereby continued to the next term (special

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234. The County of Fondulac vs. Stanley in Error Kenny Army.

Ordered by the Court that this cause be, and the same is hereby continued to the next term (special.)

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257. Frank B. Myers vs. Jeff on Error John F. Croft.

Ordered by the Court that this cause be, and the same is hereby continued to the next term. (special.)

Wednesday, December 15th 1869 continued.

The Western Union Telegraph Company. vs. Plaintiff in Error, Mayor &c. of Nauvoo.

In Error to the Supreme Court of the Territory of Wyoming.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Wyoming, and on the motion of Mr J. H. Ashton, of Counsel for the plaintiff in Error, it is now here ordered and adjudged by this Court, that the writ of error in this cause be, and the same is hereby dismissed with costs

per Mr Chief Justice Chase.

Spencer S. VanSlyke vs. The State of Wisconsin and Benjamin Bagnall. vs. The State of Wisconsin

Plaintiff in Error

These causes were argued by Mr S. U. Pinney of Counsel for the plaintiffs in error, and by Mr F. C. Spooner for the defendants in error.

263. The Germania Fire Insurance Company. Vs. Plaintiff in Error, Burwell E. Boykin

This cause was argued by Mr J. E. McPherson of counsel for the Plaintiff in Error, and by Mr W. H. Bryan of counsel for the defendant in error.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven o'clock.

Thursday, November 16th 1871.

Pursuant to adjournment, the Court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley.
} Associate Justices.

Richard C. Parsons Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Philip Phillips, it is ordered that Edward Junius Esquire of Washington City District of Columbia be admitted to practice as an attorney & counsellor of this Court, and he was sworn accordingly.

On motion first made to the court in this behalf by Mr W. H. Boyce it is ordered that W. L. DePass Esquire of Camden State of South Carolina be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

On motion first made to the court in this behalf by Mr John D. McPherson it is ordered that R. S. Washington Esquire of Washington City, District of Columbia be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

On motion first made to the court in this behalf by Mr Solicitor General Bristow it is ordered that George R. McKee Esquire of Lancaster State of Kentucky be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly

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Henry C. Yeager et al.
265 vs. Pltffs. in Error.
Asa Farwell et al.
and
Charles Gibson.
266 vs. Pltff in Error.
Charles P Chouteau et al.
and
Hall and Haviland et al.
267 vs. Appellants.
John A. Allen, assignee.

Ordered by the Court that these causes be assigned for argument on the 21st inst. immediately after the argument of No 264.

The Phenix Insurance Company
269 vs. Pltff in Error.
D. A. Naughton & Company.

This cause was submitted to the consideration of the Court on the record and printed argument by Mr D. D. Boyce of counsel for the defendants in error, with leave to counsel for plaintiff in error to file brief when received.

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269. H. H. Christmas et al. vs. Appellants. W. A. Gaines et al. | This cause was argued by Mr P. Phillips of counsel for the appellants and by Mr J. M. Ashton of counsel for the appellees.

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270. The Home Mutual Life Insurance Company. vs. Appellant. Elizabeth A. Seeley. | Reargument of this cause was commenced by Wm J. D. McPherson of counsel for the appellant.

Proclamation being made the court is adjourned until tomorrow morning at Eleven o'clock.

Friday November 17th 1871

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase, Chief Justice -

Nathan Clifford.
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley.

} Associate Justices.

Richard C. Parsons Esquire Marshal.
Daniel Henry Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr R. H. Dana junior it is ordered that Edward Avery and Lewis M. Child Esquires of Boston State of Massachusetts be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr Solicitor General Burlow, it is ordered that W.C. Miller Esqre of New York City be admitted to practice as an attorney & counsellor of this court, and he was sworn accordingly.

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268. The Penn Insurance Co. vs Plaintiff in Error. H. A. Slaughter & Company. | Re-printed argument of Mr J.G. Freeman of counsel for the plaintiff in error was received and filed in accordance with leave granted yesterday.

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286. Amable Cousin vs. Piff in Error. L. F. Jones et al. | The motion to dismiss the writ of error in this cause was submitted to the consideration of the Court on printed argument by Mr L. Janin of counsel for the defendant in error, in support thereof, and argued by Mr P. Phillips of counsel for the

plaintiff in error, in opposition there-
to. Whereupon this Court not being
now here sufficiently advised of, &
concerning what order to render in
the premises took time to consider.

The Home Mutual Insurance Company. Appellant.
vs.
Elizabeth A Bailey.

The argument of this cause was continued by Mr J. H. McPherson of counsel for the appellant. Mr W. D. Merrington appeared for the appellee but the Court declined hearing further argument in this case.

1771 Henry S. Ford vs Piffin Error
Sarah Stovall.

Mr S. W. Johnson of counsel for the plaintiff in error moved the Court to continue this cause for the present term, which was refused by the Court, and the cause ordered to be postponed to the foot of the docket for the next term.

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271. David R. Stockwell et al. vs. The United States

This cause was argued by

Mr R. H. Dana junior of counsel for the plaintiffs in error, and by Mr Solicitor General Bates, and Mr Assistant Attorney General Hill, of counsel for the defendant in error.

Proclamation being made the Court is adjourned until Monday morning next at Eleven o'clock.

Monday November 20th 1871.

Pursuant to adjournment the Court met this morning at the Capitol.

Present,

The Honorable Salmon P. Chase Chief Justice

Nathan Clifford,
Noah H. Swayne,
Samuel F. Miller,
David Davis,
Stephen J. Field,
William Strong,
} Associate Justices.

Richard C. Parsons Esqr. Marshal.

Daniel Wesby Middleton Clerk.

Proclamation being made the Court is opened.

Samuel L. Thorp, Isaac O. Thorp, James W. Owen, Charles Keerson, Josiah M. Reese, Wm. J. Reese, Edward Rees, John T. Chambers, Wm. H. Chambers, Geo. H. Comptheuaite, Christian D. Emson, & Frederick Dancy.

184 vs. Appellants.

Samuel L. Hammond, Edmund Hammond, Jacob Smith, Chas. Gillett, Brewster Terry, Charles Frei, Alfred Price, Hiram Sell.

Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, it is now here ordered adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court with instructions to order a reference to ascertain the damages and to decree that the libellants recover against Samuel S. Hammond.

per Mr Justice Strong.

189	Daniel Edwards. vs Plaintiffs in Error, Louis Sammarel,	In error to the Circuit Court of the United States for the

District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

per Mr Justice Strong.

171	The Kansas & St Joseph Railroad Company. vs Plaintiff in error Silas Swift.	In error to the Circuit Court of the United States

for the Districts of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Missouri and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs, and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Missouri.

per Mr Justice Field.

1744. Theodore D. Rogers vs. Louis E. Ritter. Henry Kenrick, E. R. Smith, Frank Hussey, H. G. Bloomer, Robert Rees, ---- Pisani, J. B. Rouard, F. M. Dunek, Kenrick et al.

In Error to the Circuit Court of the United States for the District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of California, and was argued by Counsel On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause, be, and the same is hereby affirmed with costs.

per Mr Justice Davis.

(Charles G. Scott
206 vs Appellant
The United States

Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by Counsel On consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said Court of Claims, in this Cause be, and the same is hereby affirmed. per Mr Justice Swayne.

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193 James R. Smith & Appellant
George Mason, assignee
of J. P. Sawyer and
Risher and Hall.

Appeal from
the Supreme
Court of
the District
of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia and was argued by Counsel. On consideration whereof, it is now here ordered adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Supreme Court, for further proceedings to be had therein in conformity with the opinion of this Court.

per Mr Justice Clifford.

Anatole Cousin		In error to the
266. vs	Pltff in Error	Supreme Court
Louis J. Genies, Chal.		of the State
Riguie, Survivors of		of Louisiana.
Chal. Genies & Co et al.		

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana, and on the motion of Mr Jenni to dismiss this writ of error, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this court, that the writ of error in this cause be, and the same is hereby dismissed with costs.

per Mr Chief Justice Chase

Order

The Chief Justice announced to the bar that at the close of business on Monday next the 27th instant, the court will adjourn without day.

	The Steamboat Telegraph her tackle &c. Tolls Claimt,	Mr Vanduzee moves suggesting the death of T. J. Vaughn one of the appellants in these causes & leave is granted him to
282	vs. Appellant	
	John Gordon et al.	
	and	
	The Propeller Mary J. Vaughn her tackle &c.	
	Vaughan claimant	
283.	vs. Appellant	
	John Gordon et al.	

make the proper representations for this in this Court.

	The United States	Appeal from the Court of Claims.
511.	vs Appellants	
	Sheldon H. Wright.	

This cause came on to be heard on the transcript of the record from the Court of Claims, and on the motion of Mr Assistant Attorney General Hill of counsel for the appellants, it is now here ordered adjudged and decreed by this Court

that this appeal be, and the same is hereby dismissed.

per Mr Chief Justice Chase.

William Foster
vs. as Plaintiff in Error
Nathan P. Spalding.

This cause was argued by Mr Webb, and submitted on printed argument by Mr George Gifford of counsel for the Plaintiff in error, - No counsel appearing for the defendant in error.

Samuel H. Mason
vs. as Appellant
E. A. Rollins, Comm'r &c

The argument of this cause was commenced by Mr Edward Roby of counsel for the appellant.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Tuesday November 21st 1871.

Pursuant to adjournment the court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase Chief justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices

Richard C. Parsons Esquire Marshal.

Daniel Wesley Middleton Clerk.

Proclamation being made the court is opened.

On motion first made to the court in this behalf by Mr Attorney General Akerman, it is ordered that E. Sprague Esquire of Providence State of Rhode Island be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Samuel H. Mason
vs. Appellant.
E. A. Ellis Comm. &c.

The argument of this cause was concluded by Mr Attorney General Stanbery of counsel for the appellees.

Isaac Ward
204 vs. Piff's in Error.
The State of Maryland.

This cause was argued by Mr Wm M. Evarts of counsel for the plaintiff in error, and by Mr Isaac D. Jones Attorney General of Maryland of counsel for the defendant in error.

Kenny & Yeager et al.
205 vs. Piff's in Error.
Isaac Tarwell et al.

This cause was submitted to the consideration of the court on the record & printed argument by Mr Geo P. Strong of counsel for the plaintiff in error, with leave to counsel for defendant in error to file brief on or before Monday next the 27th instant.

Tuesday November 21st 1871 continued.

266.	Charles Gibson vs. Plff in Error. Chas. P. Chouteau et al.	The argument of this cause was commenced by Mr M. Blair of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Wednesday November 22nd 1871.

Pursuant to adjournment the court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase, Chief Justice
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices

Richard C. Parsons Esquire Marshal.
Daniel Tilley Middleton Clerk.

Proclamation being made the court is opened.

On motion first made to the court in this behalf by Mr P. Phillips, it is ordered that Edward Jewson Hill Esquire of Chicago State of Illinois be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

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185. John Richey vs. John S. Williams Coll'r Int. Rev. &c. | On a certificate of division in opinion between the Judges of the Circuit Court of the United States, for the District of Indiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Indiana, and on the point or question, on which the Judges of the said Circuit Court were opposed in opinion and which was certified to this Court for its opinion, agreeably to the act of Congress in such case made and provided, and was argued by Counsel. On consideration whereof the Court being equally divided in opinion on the question certified it is thereupon now here ordered and adjudged by this Court, that this cause be, and the same is hereby dismissed.

And that this cause be, and the same is hereby remanded to the said Circuit Court, with directions to proceed therewith in conformity to law and the rules of proceeding in such cases provided.

By a divided Court.

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181. John L. McCallum, F. A. Foster, J. Barnard and Henry S. McComb. vs. Appellants. Mark Howard, John Webber et al. and Mark Howard, John Webber, Joseph Young et al. vs. Appellants. John L. McCallum, Frederick A. Foster, J. Barnard & H. S. McComb.

Appeals from the Circuit Court of the United States for the District of Iowa.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States, for the District of Iowa, and was argued by counsel. On consider-

thereof, the Court being equally divided in opinion it is now therefore ordered adjudged and decreed by this Court, that the decree of the said Circuit Court, in this cause be, and the same is hereby affirmed with costs.

By a divided Court.

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266. Charles Gibson vs Peffin Ener Chas. P. Chouteau et al. | The argument of this cause was continued by Mr J. R. Shepley of Counsel for the defendant, in error concluded by Mr F. S. Key of Counsel for the plaintiff, in error.

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267. Hall & Blaisland et al, vs. Appellants. John A. Abel, assignee &c. | The argument of this Cause was commenced by Mr Edwards of Counsel for the appellants.

The Chief Justice announced that no case would be called after 279.

Proclamation being made the court is adjourned until tomorrow morning at eleven o'clock.

Thursday, December 23rd 1869.

Pursuant to adjournment the Court met this morning at the Capitol

Present.

The Honorable Salmon P. Chase Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley.

} Associate Justices

Richard C. Parsons Esquire Marshal.
Daniel Henry Maddeson, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Assistant Attorney General Hill, it is ordered that Julien T. Davies Esquire of New York City be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

	J. L. Rice admr of W. J. Turbeville, and al	Ordered by the Court that the order of Continuance heretofore entered in these
199	vs Plffs in Error, Russell Houston et al.	causes, be, And the same is
	and	
	W. J. Turbeville admr, and J. W. Ewin.	
200	vs. Plaintiffs in error, Russell Houston admr &c.	

hereby stricken out.

	W. J. Turbeville et al.	The death of W. J. Turbeville one
199	vs. Plffs in Error, Russell Houston, admr &c.	of the plaintiffs in
	and	error in these causes
	W. J. Turbeville et al.	having been
200.	vs Plffs in Error Russell Houston, admr &c.	

suggested at a prior day of this term. It is now here ordered by the Court on the stipulation of Counsel and other testimony filed that J. L. Rice administrator of the said W. J. Turbeville

deceased, be, and he is hereby made a party plaintiff in error in these cases with liberty to prosecute these writs of error.

	J. L. Reid admr of Sutbridle deed et al.	These causes
199	vs. Plffs. in Error.	submitted to
	Russell Hanston, admr. &c.	the consideration
	and	of the court
	J. L. Reid, admr of Sutbridle et al.	on the record
200	vs. Plffs in Error.	
	Russell Hanston, admr. &c.	

and printed arguments by Mr. R. A. Crawford of counsel for the plaintiffs in Error, and by Mr. H. Maynard of counsel for the defendants in error.

	Hall & Blaisland et al.	The argument
207	vs Appellants.	of this cause
	John A. Allen, assignee.	was continued by

Mr H. Hitchcock of counsel for the appellants and concluded by Mr Edward Avery for the appellees.

	Parker R. Mason,	These cases
274	vs. Appellant	were argued
	S. S. Mann, depty Collr &c.	by Mr Edward Roby
	and	of counsel
	Parker R. Mason	for the ap-
275	vs Appellant,	pellants.
	R. H. Hart. Depty Collr &c.	

	Patrick H. Kennedy.	This cause
	vs. Pltf in Error.	was submit-
	Henry H. Sheldon et al.	ted to the

consideration of the court, on the record & printed arguments by Mr Pitt and Mr Johnson of counsel for the defendants in error.

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277 Henry B. Plant vs. Peffin in Error Josiah Stovall. | Ordered by the court that the order heretofore entered postponing this cause to the foot of the Calender of the next term be and the same is hereby stricken out, and that this cause be and the same is hereby continued to the next term.

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278 Archibald McNeill et al. Appellants. vs The Steamer Ariadne | Ordered by the Court that this cause be and the same is hereby continued to the next term.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Friday November 24th 1871.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase, Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices

Richard C. Parsons Esquire Marshal
Daniel Wesley Middleton Clerk

Proclamation being made the Court is opened.

The Planters Bank of Tennessee, Plaintiff in Error,
vs.
The Union Bank of Louisiana.

Mr P. Phillips suggested to the

Court that the plaintiff and defendant have sued out a writ of error on the final mandate rendered in this case, and moved that the Clerk of this Court

be directed to docket both writs of error on the one record in the same manner as is directed by the act of 1861. 12 Stat 214 in reference to appeals. Whereupon it is now hereordered by the court that the clerk do, and he is hereby authorized to docket both writs of error in this case as prayed for.

The Commonwealth of Kentucky, Petitioner
12 Wall. vs
George S. Boutwell, Secy. of the Treasury.

On motion of the Attorney General, leave is hereby granted that three counsel be allowed to argue in this cause, on the part of the Secretary of the Treasury, but not to exceed the allotted time of two counsel.

The Commonwealth of Kentucky. Original. Petitioner. George S Boutwell, Secretary of the Treasury. | The motion for a rule to show cause why a writ of Mandamus should not

issue in this cause, was argued by Mr Joseph Casey and Mr George K McKee in support thereof, and by Mr Attorney General Akerman, Mr Solicitor General Bristow, and Mr Assistant Attorney General Hill, in opposition thereto. Whereupon the court not being now here sufficiently advised of, and concerning what order to make in the premises took time to consider.

Proclamation being made the court is adjourned until Monday morning next at eleven o'clock.

Monday, November 27th 1871.

Pursuant to adjournment the court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller — Associate
David Davis — Justices
Stephen J. Field
William Strong
Joseph P. Bradley

Richard C. Parsons Esquire Marshal
Daniel Wesley Middleton Clerk.

Proclamation being made the court is opened

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196. Louis Hanauer and Jacob Hanauer vs. Pefts in Error. Samuel H. Deane. | In error to the Circuit Court of the United States for the Eastern District of Arkansas.

This cause came on to be heard

on the transcript of the record from the Circuit Court of the United States for the Eastern District of Arkansas, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court, with directions to award a venire facias de novo.

per Mr Justice Bradley.

Dissenting. (Mr Justice Strong.)

The New Orleans and Ohio R.R. Company, Appellants, vs. L. Trimble et al. and H. P. Mellon, trustee, and The United States.

Appeal from the Circuit Court of the United States for the District of Kentucky.

This cause came on to be heard

on the transcript of the record from the Circuit Court of the United States for the District of Kentucky and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed.

Per Mr Justice Bradley

Samuel A. Cooley and Henry G. Judd. vs Pltffs. in Error. Mary O'Connor.	In error to the Circuit Court of the United States for the District of South Carolina

236.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of South Carolina and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this court

that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court with directions to award a venire facias de novo.

per Mr Justice Strong.

Robert M Shoemaker and Edward Miller. vs. Plffs. in Error. S. H. Kingsbury.

In error to the Circuit Court of the United States for the District of Kansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Kansas, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court, in this cause be, and the same is

hereby reversed with costs and that this cause be, and the same is hereby remanded to the said Circuit Court, with directions to award a venire facias de novo.

per Mr Justice Field

190	Samuel H. Smith vs. Iliff, in Error. Joseph F. Sheeley.	In error to the Circuit Court of the United States for the District of Nebraska.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Nebraska and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

per Mr Justice Davis.

Monday December 27th 1841 Continued

The Planters Ins. Company vs. Reff in Error. W. A. Slaughter and Jacob Stewart, late partners as W. A. Slaughter Company.

In Error to the Circuit Court of the United States for the Southern District of Mississippi.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Mississippi and was argued by counsel On consideration whereof, it is now here ordered and adjudged by this court, that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs and interest until paid at the same rate per annum that such similar judgments bear in the courts of the State of Mississippi.

per Mr Justice Daniel.

Monday November 27th 1871. Continued.

131.	Augustus H. Walker vs Plaintiff in Error. A. M. Deville, widow of Louis Emmerling.	In error to the Circuit Court of the United States for the District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana, and was argued by Counsel. On consideration whereof, it is now here ordered and adjudged by this court that the writ of error in this cause be, and the same is hereby dismissed with costs.

per Mr Justice Miller

Dissenting.
Mr Justice Bradley
" " Swayne.

The Germania Fire Ins. Co.
The Niagara Fire Ins. Co.
The Hanover Fire Ins. Co.
The Republic Fire Ins. Co.
of New York
vs Plaintiffs in error.
Burwell E. Boykin.

In error to the Circuit Court of the United States for the District of South Carolina.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of South Carolina, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court with directions to enter the following judgment: That plaintiff have and recover of and from the defendant, The Germania Fire Insurance Company the sum of

two thousand nine hundred and sixty six dollars and twelve cents, with interest from the 31st day of December A.D. 1869. until paid - And of the Niagara Fire Insurance Company, the sum of two thousand nine hundred and sixty six dollars and twelve cents, with interest from the 31st day of December A.D. 1869. until paid - And of The Hanover Fire Insurance Company, the sum of two thousand nine hundred and sixty-six dollars, and twelve cents with interest from the 31st day of December A.D. 1869. until paid - And of the Republic Fire Insurance Company the sum of two thousand nine hundred and sixty-six dollars and twelve cents, with interest from the 31st day of December A.D. 1869. until paid and of all the defendants the costs of the Circuit Court.

per Mr Justice Miller

John J. Townsend Executor
of Frederic Bronson, deceased.
who was Executor of Arthur
Bronson deceased.
vs. Appellant
Edward Chappell Senior, Ed-
ward Chappell, junior, and
John S. Chappell.

Appeal
from the
Circuit
Court of
the United
States for
the Dis-
trict of
Wisconsin

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Wisconsin, and was argued by counsel. On consideration whereof it is now here ordered, adjudged and decreed, by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs. And that this cause be, and the same is hereby remanded to the Circuit Court of the United States for the Eastern District of Wisconsin.

per Mr Justice Swayne.

220. The United States vs. John H. Russell. | Appeal from the Court of Claims

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, it is now here ordered adjudged and decreed by this Court, that the decree of the said Court of Claims, in this cause, &c, and the same is hereby affirmed.

per Mr justice Clifford

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237. The United States vs Plaintiffs & Edward Myndersee, and Charles D. Myndersee survivors. | On a certificate of division in opinion between the Judges of the Circuit Court of the United States, for the Northern District of New York.

This cause came on to be heard.

on the transcript of the record from the Circuit Court of the United States, for the Northern District of New York, and on the points or questions on which the Judges of the said Circuit Court were opposed in opinion, and which were certified to this court for its opinion agreeably to the act of Congress in such made, and provided and was argued by Counsel. On consideration whereof, it is the opinion of this court, that the first question certified must be answered in the negative, and the second in the affirmative. Thereupon it is now here ordered and adjudged by this court that it be so certified to the said Circuit Court.

per Mr Chief Justice Chase

Napoleon B. Van Slyke
1st Def. Plaintiff in error.
The State of Wisconsin

In error to the Supreme Court of the State of Wisconsin.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Wisconsin and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

per Mr Chief Justice Chase.

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262. Benjamin Bagnall vs. Peffini Error. The State of Wisconsin. | In error to the Supreme Court of the State of Wisconsin.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Wisconsin, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this court, that the judgment of the said Supreme Court in this cause be, and the same is hereby

affirmed with costs.

per Mr Chief Justice Chase.

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276. Patrick H. Hennessy vs. Iff. in Error, Henry K. Sheldon, F. C. Sheldon, Wm. J. Hoyt, Samuel A. Busick, and Edward Lyons, as Sheldon Hoyt & Company. | In Error to the Circuit Court of the United States for the Eastern District of Texas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Texas, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this court, that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs and damages at the rate of ten per cent in addition to interest from the date of the judgment

below, with interest at the same rate per annum that similar judgments bearing in the Courts of the State of Texas.

per Mr Chief Justice Chase.

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386 Barbara E. Hume et al. vs. Mary D. Beall Exrs. Appellants. | Mr Pue that in behalf of Mr

Moore of counsel for the appellants, having suggested to the court that the appellants were prepared to file the record, and have the case docketed, pursuant to the rules of this court moved the court to rescind and annul the judgment of this court, entered on the 13th day of December A.D. 1870, docketing & dismissing this appeal - On consideration whereof, it is now here ordered by this court that the judgment of the 12th of December last, docketing and dismissing this appeal, be, and the same is hereby rescinded and

committed: and that the appellants have leave to file this case, and have the same docketed in conformity to the rules of this court, upon payment of costs.

per Mr Chief Jus. Chase.

John V. McCollum et al. Appellants vs. Mark Howard et al. And Mark Howard et al. Appellants vs. John V McCollum et al	Ordered by the Court that no Mandate be issued in these cases until the further order of Court.

Order

It is now here ordered by the Court that all the cases on the docket not decided and all the other business of the term not disposed of by the Court, be, and the same are hereby continued over to the next term of this Court.

Proclamation being made the Court is adjourned to the time and place appointed by law.

Minutes of the Supreme Court of the United States.

December Term 1871.

Monday December 4th 1871

At the Capitol of the United States, in the City of Washington, and District of Columbia, being the present seat of the National Government of the United States on the first Monday of December (being the fourth day of the same month) in the year of our Lord One thousand Eight hundred and seventy, and of the Independence of the United States the ninety sixth, the Supreme Court of the United States, met agreeably to law.

Present.

The Honorable Salmon P. Chase Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices.

Richard C. Parsons Esquire Marshal
Daniel Ashley Middleton, Clerk.

Proclamation being made, the Court is opened

On motion first made to the Court in this behalf by Mr S. Phillips it is ordered that Henry C. Robinson Esquire of Hartford State of Connecticut be admitted to practice as an attorney and Counsellor of this Court, and he was sworn accordingly

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On motion first made to the Court in this behalf by Mr Solicitor General Bristow it is ordered that John H. Hall Esquire of St Louis, Missouri, be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly

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The Chief Justice announced to the bar that the Court would commence the call of the docket tomorrow under the 24th rule.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven o'clock.

Tuesday December 5th 1871.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices.

Richard C. Parsons Esquire Marshal
Daniel Tracy Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Wm M. Evarts, it is ordered that William Hamersley Esquire of Hartford State of Connecticut, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the court in this behalf by Hon. A. A. Cotton, it is ordered that Walter I. Hayes Esquire, and Daniel Gray Esquire of Clinton State of Iowa be admitted to practice as attorneys and counsellors of this court and they were sworn accordingly.

On motion first, made to the court in this behalf by Mr P. Phillips, it is ordered that S. J. Cumming Esquire of Camden State of New Jersey, be admitted to practice as an attorney, and counsellor of this court and he was sworn accordingly.

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78 William Tucker vs. Pfff, in Error. N. H. Spalding.

On motion of Mr Coomes of counsel for the defendant, in error, it is now here ordered by the Court that leave be, and the same is hereby granted him to file briefs in this case.

Stephen H. Head vs Appellant Edwin P. Archbold.	Appeal from the Circuit Court of the United States for the District of Massachusetts.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and on the motion of Mr Blair of counsel for the appellant, it is now here ordered adjudged and decreed by this court, that this appeal be, and the same is hereby dismissed with costs.

per Mr Chief Justice Chase

John Graham vs Appellant. The United States.	Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and on the

Motion of Mr Solicitor General Bris-
tow of Counsel for the appellee, with
the consent of Mr Carlisle of Counsel
for the appellant, it is now here or-
dered adjudged and decreed by this
Court, that this appeal be, and
the same is hereby dismissed.
per Mr Chief Jus. Chase.

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3. Henry S. Dexter
vs.
Tiffin in Error,
Mary K. Hull et al.

Ordered by the
Court that this
cause be, and
the same is
hereby passed for the present.

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7 George F. Kelly
vs
Complainant,
The City of Providence.
And
George F. Kelly.
8. vs Complainant.
The Proprietors of
Central Bridge.

Ordered by the
Court that these
Cases be, and
the same are
hereby continued
to the next term.

George Thorpenning vs. Appellant The United States.	This cause was submitted to the consideration

of the Court on the record & printed arguments by Mr Solicitor General Bristow, and Mr Assistant Attorney General Hall, of counsel for the appellee

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James Armstrong et al. vs. Plffs. in Error. Lah. M. Morrill.	On the motion of Mr Evarts

the time for argument of this case is hereby extended to three hours on each side

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James Armstrong et al. vs. Plffs. in Error. Lah. M. Morrill.	The argument of this cause was commenced by Mr. B. H. Smith

of counsel for the plaintiffs in error, & continued by Mr. J. D. Camden, of counsel for the defts in error

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Proclamation being made the court is adjourned until to-morrow morning at Eleven o'clock.

Wednesday December 6th 1871

Pursuant to adjournment the court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase Chief justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices.

Richard C. Parsons Esquire Marshal.
Daniel Haley Middleton, Clerk.

Proclamation being made the court is opened.

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10 James Armstrong et al. vs. Plffs in Error. / Lot M. Morrill

The argument of this cause was continued by Mr G. D. Camden of counsel for the defendant in error, and concluded by Mr W. M. Evarts, of counsel for the plaintiffs in error.

J. T. Symmes, admr. vs Plff in Error. City Fire Insurance Company of Hartford	This cause was argued by Mr Wel. liam Hamersley of

Counsel for the plaintiff in error, & submitted on printed argument by Mr R. D. Hubbard of counsel for the defendant in error.

The Mayor Aldermen &c of Mobile. vs Plffs in Error. Wm E. Screech et al.	Ordered by the Court that this Cause be,

and the same is hereby continued to the next term.

Ernest Julien Caujolle et al. vs Appellants. C. Curtis et al, admrs	At the request of counsel it is now

here ordered by the court, that this cause be substituted in the order of argument for Case No 21.

18	The United States vs. John Silvey and The United States. vs 24 Appellants Thomas S. W. Cunard.	Ordered by the Court that these cases be, and the same are hereby passed for the present.

19.	Cyrus Carpenter vs. Peffer in Error Rensaeler D. Granger.	In Error to the Circuit Court of the United States for the

District of Massachusetts.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and it appearing to the Court that this is the second term at which this case has been called for argument, and that neither party is now prepared to argue the same, it is considered by the court that this cause should be dismissed

at the costs of the plaintiff in error, pursuant to the 19th rule of this court. Whereupon it is now here ordered and adjudged by this court, that this writ of error be, and the same is hereby dismissed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court, to be proceeded in according to law and justice.

per Mr Chief Justice Chase.

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20 | Ira P. Kilmore vs. Plff in Error, Perry Davitt. | Ordered by the court that this cause be, and the same is hereby passed for the present.

Proclamation being made the court is adjourned until tomorrow morning at eleven o'clock.

Thursday December 7th 1871.

Pursuant to adjournment the court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices

Richard C. Parsons Esquire Marshal.
David Wesley Middleton Clerk

Proclamation being made the court is opened.

On motion first made to the court in this behalf by Hon. Geo. H. Williams, it is ordered that Hon. George G. Wright of Davenport, State of Iowa be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

23	Benoit Julien Caujolle et al. vs C. Curtis et al. admrs.	Appellants.	The Chief Justice announced that as he had been of counsel for one of the parties in this cause, he would withdraw from the court during the argument.

23.	Benoit Julien Caujolle et al. vs C. Curtis et al. admrs.	Appellants,	Ordered by the court that one additional hour be allowed Mr Muirhead in the argument of this cause, Mr Nash not desiring any extension of time on the part of the appellee.

23	Benoit Julien Caujolle et al vs C. Curtis et al. admrs.	Appellants.	The argument of this cause was commenced by

Mr W. E. Muirhead of counsel for the appellants, continued by Mr J. P. Nash, of counsel for the appellee.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Friday December 8th 1871.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices.

Richard C. Parsons Esquire Marshal
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr Philip Phillips, it is ordered that Joseph S. Lownie Esquire of St Louis State of Missouri be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr Solicitor General Bristow, it is ordered that Hon S. O. Houghton of San Jose State of California, and James E. Sewell Esquire of Philadelphia, State of Pennsylvania, be admitted to practice as attorneys & counsellors of this Court, and they were sworn accordingly.

William T. Truborn & Co. Appellants
1131. vs.
The Ship Protector &c.
J. C. Bell et al, Claimants.

Mr F. Biddle opposed counsel for the appellees filed motion to dismiss this cause.

George Chorpenning Appellant
vs.
The United States.

On the motion and consent of counsel for the respective parties, it is now here ordered by the Court, that the entry of the 5th inst, submitting this cause

to the consideration of the Court, &c, and the same is hereby stricken out.

9.	George Chorpenning & Appellant, The United States.	Appeal from the Court of Claims

This cause came on to be heard on the transcript of the record from the Court of Claims, and on the motion of Mr C. F. Peck of counsel for the appellant, it is now here ordered, adjudged and decreed by this court, that this appeal be and the same is hereby dismissed.

per Mr Chief Justice Chase.

251	Thomas J. Frow vs. Appellant. Thomas de la Vega.	Mr T. J. Durant of Counsel for the appellee having filed a suggestion of a diminution of the record in this cause, moved the court to award a writ of certiorari to be directed to the Judges of the Circuit

Court of the United States, for the Western District of Texas, commanding them that they shall certify to this court under the seal of the said Circuit Court, a perfect transcript of the record in this cause. On consideration whereof it is now here ordered and adjudged by this Court, that a writ of certiorari be, and the same is hereby awarded to be issued forthwith and to be directed to the Judges of the Circuit Court of the United States, for the Western District of Texas, commanding them that they forthwith certify to this court under the seal of the said Circuit Court, a perfect transcript of the record in this cause, and return the same with the said writ of certiorari forthwith to this court.

Per Mr Chief Justice Chase.

Edmund J. Davis governor &c. vs Appellant 305. John A. & Gray, receiver &c et al.	Mr Durant of counsel for the appellant moved the court to advance

this cause on the docket, and set it down for argument on Tuesday the 9th of January 1872 - Whereupon this court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

The State of Texas 3 orig. vs Complainant Geo. Peabody's Exrs et al.	Mr Durant filed replication of Complainant

The State of Texas, to the answers to bill of defendants Geo. P. Russell, Charles Henry Dabney, John Pierrepont Morgan, James Junius Goodwin, and Herman Neiter

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276 The United States, Appellants, vs. William H. Hubbell | Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and on the motion of Mr. Solicitor General Bristow, of counsel for the appellants, it is now here ordered adjudged and decreed by this Court, that this appeal be, and the same is hereby dismissed.

per Mr Chief Justice Chase.

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277 William H. Hubbell, Appellant, vs. The United States. | Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and on the motion of Mr James M. Carlisle of counsel for the appellant, it is now here ordered

adjudged and decreed by this court that this appeal be, and the same is hereby dismissed.

per Mr Chief Justice Chase.

	The United States	Ordered by
276	vs Appellants	the court
	William Wheeler Hubbell,	that leave
	and	be, and the
	William Wheeler Hubbell	same is
277	vs. Appellant	hereby grant
	The United States.	ed the
		Clerk to

issue the mandates in these cases.

	Benoit Julien Caujolle et al.	The argu-
23.	vs. Appellants	ment of
	C. Curtis et al. admrs.	this
		cause

was continued by Mr S. P. Nash of counsel for the appellee and concluded by Mr C. E. Whitehead of counsel for the appellants.

	The Bangue Delaware &c.	On the applic-
21.	vs Appellant.	ation of
	The Oregon Iron Company.	Mr Caverly

it is now here ordered by the court that one additional hour be allowed counsel in the argument of this cause

	The Bangue Delaware &c.	The argu-
21.	vs. Appellant	ment of
	The Oregon Iron Company	this cause

was commenced by Mr E. Caverly of counsel for the appellant, and continued by Mr Charles E. Whitehead of counsel for the appellee.

Proclamation being made the Court is adjourned until Monday morning next at eleven o'clock.

Monday December 11 1871.

Pursuant to adjournment the court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices

Richard C. Parsons Esquire Marshal.
Daniel Wesley Middleton Cler[k].

Proclamation being made the Court is opened.

On motion first made to the court in his behalf by Mr Attorney General Akerman, it is ordered that John S. Prescott Esquire of Xenia State of Ohio be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

James P. Thomas, William Evans, and Morris A. Thomas, partners, under the firm and style of Thomas, Evans, & Co. 22. vs. Plaintiffs in Error. The City of Richmond.

In error to the Circuit Court of the United States for the District of Virginia.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the district of Virginia, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

per Mr Justice Bradley.

Monday December 11. 1871. Continued.

43 The United States. vs Appellants
Thomas Clyde,
and
44. Thomas Clyde vs Appellant
The United States.

Appeals from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel On consideration whereof, it is now here ordered, adjudged and decreed by this court that the decree of the said Court of Claims in this cause be, and the same is hereby reversed. And that this cause be, and the same is hereby remanded to the said Court of Claims, with directions to enter a decree of dismissal, as to the first count in the petition, and to proceed to a hearing on the second count.

per Mr Justice Bradley.

Dissenting, - Mr Justice Field.

49. William B. Webb, trustee, vs. Alexander Sharp. | In Error to the Supreme Court of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

per Mr Justice Bradley.

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77. Davis R. Stackwell, and John L. Cutler, vs. The United States. | In error to the Circuit Court of the United States for the District of Maine.

Monday December 11. 1871. Continued.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States, for the District of Maine, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court, in this cause, be, and the same is hereby affirmed.

Dissenting, . per Mr Justice Strong.
Mr Jus Field,
" " Miller.
" " Bradley.

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58. John S. Toof, Charles J. Phillips and Grant M. Mahan, as Toof, Phillips & Company. vs. Rufus W. Martin assignee in bankruptcy of W. P. Baines & Co.

Appeal from the Circuit Court of the United States for the District of Arkansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Arkansas; and was argued by counsel. On consideration whereof, it is now here ordered adjudged and decreed by this court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

per Mr Justice Field.

Mr Justice Bradley took no part in the decision of this cause.

	Chester O. Samson Daniel Gantt, Jacob Gantt, Amos C. Babcock, LeRoy Tuttle, and William F. Bapp.	In Error to the Supreme Court of the State of Nebraska
13.	vs. Plaintiffs in Error,	
	John A. Smiley	

This cause came on to be heard on

the transcript of the record from the Supreme Court of the State of Nebraska, and was argued by counsel. On consideration whereof, it is now here ordered adjudged and decreed by this court that the decree of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

Dissenting Mr Justice Clifford — Per Mr. Justice Miller

Mr. Justice Davis being interested in the question involved in this case took no part in the decision

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James M. Johnson, Jacob Gantt, and Amos C. Babcock, Pltffs in Error vs. John M. Towsley. | In Error to the Supreme Court of the State of Nebraska.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of

Nebraska, and was argued by counsel. On consideration whereof, it is now here ordered adjudged and decreed by this Court, that the decree of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.
Dissenting per Mr Justice Miller
Mr Justice Clifford.

Mr Justice Davis being interested in the question involved in this case took no part in the decision.

G. L. Price, administrator of D. J. Turnville deceased and J. H. Cunningham.		In Error to the Circuit Court of the United States for the Middle
32.	vs.	
Russell Houston, administrator of Anthony W. Turnbull, dec'd.	Plaintiffs in error	

District of Tennessee

This cause came on to be heard on the transcript of the record

from the Circuit Court of the United States for the Middle District of Tennessee, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Tennessee.

per Mr Justice Davis.

John H. Ewin, and J. L. Rice, admr of W. J. Sevierville.
33. vs. Peffs in Error.
Russell Houston administrator of Anthony W. Vanleer.

In Error to the Circuit Court of the United States for the Middle District of Tennessee.

This cause came on to be heard on the transcript of the record from

the Circuit Court of the United States for the Middle District of Tennessee, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this court, that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs, and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Tennessee.

per Mr Justice Davis.

Henry C. Yeager and John Crangle pls. in Error. vs. Asa Farwell, Henry A Farwell, and Samuel Hall, junior. | In error to the Circuit Court of the United States for the Districts of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Districts of Missouri and

was argued by counsel On consideration whereof, it is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be, & the same is hereby affirmed with costs, and interest, according to the judgment below until paid.

per Mr Justice Davis.

The United States,		Appeal
53. vs Appellants,		from the
John H Kimball &		Court of
William G Barrows.		Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged, by this Court that the decree of the said Court of Claims in this cause be, and the same is hereby reversed; and that this cause be, and the

same is hereby remanded to the said Court of Claims with directions to enter a judgment in conformity with the opinion of this Court.

Per Mr Justice Swayne.

Elias Ward
34. vs Pff. in error.
The State of
Maryland

In error to the Court of Appeals of the State of Maryland.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Maryland, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court, that the judgment of the said Court of Appeals in this cause be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Court of

Appeals, with directions to conform its judgment to the opinion of this Court.

per Mr Justice Clifford

The Phenix Mutual Life Insurance Company of Hartford, Connecticut.	Appeal from the Supreme Court of the District of
76. vs. Appellant	
Elizabeth A. Bailey.	

Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof, it is now here ordered adjudged and decreed by this Court, that the decree of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

per Mr Justice Clifford.

Edmund J. Davis
Governor &c.
305. vs Appellant
John A. C. Gray &c & Vice

Ordered by the Court that this cause

be, and the same is hereby set down for argument on Tuesday the 9th day of January 1872.

The Chief Justice announced to the bar that the court would adjourn on Friday the 22nd instant to Monday the 8th day of January next.

The Board of Supervisors of Carroll County.
515 vs. Pltffs in Error
The United States & Rel
John Reynolds.

Mr Sanborn of Counsel for the defendant in error

having filed a transcript of the record of this cause duly certified by the Clerk under the seal of the District Court of the United States for the District of Iowa & having

stated that the plaintiff in error had altogether failed to file the record of said cause in this court or in anyway to prosecute said writ of error, now here moved the court in pursuance of the 9th Rule of this court to have this writ of error docketed and dismissed. On consideration whereof, it is now here ordered and adjudged by this court that this writ of error, from the Circuit Court of the United States for the District of Iowa, be, and the same is hereby docketed and dismissed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity to law and justice the said writ of error notwithstanding.

Per Mr Chief Justice Chase

31 The Bank Delaware vs. The Oregon Iron Company. Appellant.

The argument of this cause was concluded by Mr E. Casserly of counsel for the appellant.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven o'clock.

Tuesday December 12. 1871.

Pursuant to adjournment the court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase, Chief Justice
Nathan Clifford,
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley.
} Associate Justices

Richard C. Parsons Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the court is opened.

On motion first made to the court in this behalf by Mr Thomas Ewing it is ordered that J. Madison Wells Esquire of Washington City District of Columbia, be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

The Board of Supervisors of Carroll County.
515 vs. Pltffs in Error
The United States, ex rel. John Reynolds.

Mr M. H. Carpenter in behalf of Mr

June Cook of counsel for the plaintiff in error having suggested to the court that the plaintiff in error was prepared to file the record and have the case docketed pursuant to the rules of this court, moved the court to rescind and annul the judgment of this court entered on the 11th day of December A.D. 1871. docketing and dismissing this writ of error - On consideration whereof it is now here ordered by this court that the judgment of the 11th of December docketing and dismissing this writ of error, be, and the same is hereby rescinded and annulled - and that the plaintiffs in error have leave to file their case and have the same docketed in con-

formity to the rules of this court upon payment of costs.

per Mr Chief justice Chase.

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110. George Alexander vs. Iliff in error. Mc. Rouat et al. | This cause was submitted to the consideration of the Court on the record and printed arguments by Mr William Irvine of counsel for the plaintiff, and by Mr Hall McAllister for the defendants in error.

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112. C. Adolph Low et al. vs. Iliffs. in Error. Alexander Austin. | This cause was submitted to the consideration of the court on the record and printed arguments by Mr H. A. Fisher, and Mr Hall McAllister of counsel for the plaintiffs in error, and by Mr J. W. Denver of counsel for the defendant in error.

P. B. Fouke admr. &c.
331. vs. Piff in Error.
W. H. Zimmerman et al.
and
P. B. Fouke, admr. &c.
332. vs. Piff in Error
Louis Hubert et al.

These cases were submitted to the consideration of the Court on the Records and printed arguments by Mr W. H. Handlin of counsel for the plaintiff in Error, and by Mr E. C. Billings of counsel for the defendants in error.

William H. Chapman, admr &c.
25. vs. Plaintiff in error,
William H. Delay et al.

This cause was argued by Mr W. H. Chapman the plaintiff in error and by Mr George H. Williams of counsel for the defendants in error.

Tuesday December 12. 1871 continued.

26.	The United States vs Appellants. Daniel Wormer.	The argument of this cause was commenced by Mr Assistant Attorney General Hill of counsel for the appellants, and continued by Mr M. St Carpenter and Mr Enoch Totten of counsel for the appellees.

Proclamation being made the court is adjourned until tomorrow morning at eleven o'clock.

Wednesday December 13. 1871.

Pursuant to adjournment the court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase Chief Justice.

Associate Justices.
- Nathan Clifford
- Noah H. Swayne
- Samuel F. Miller
- David Davis
- Stephen J. Field
- William Strong &
- Joseph P. Bradley.

Richard C. Parsons Esquire Marshal
Daniel Wesley Middleton Clerk.

Proclamation being made the court is opened.

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26. The United States vs Appellants / Daniel Warner.

The argument of this cause was continued by Mr Enoch Totten of counsel for the appellees and concluded by Mr Solicitor General Bristow of counsel for the appellants.

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28. Mary G. Curtis vs. Piff in error. Jonathan Whitney dal. | This cause was argued by Mr T. C. Howe of Counsel for the defendant in error, and submitted on printed argument by Mr S. A. Ellis of counsel for the plaintiff in error.

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29. Albert Boudin et al. vs. Appellants Joseph Alexander et al. | Ordered by the Court that this cause be, and the same is hereby continued to the next term.

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30 The Steamer "W. N. Webb" et al vs. Appellants, Henry A. Darling et al. | The argument of this cause was commenced by Mr E. C. Benedict of counsel for the appellants and continued by Mr D. D. Lord of counsel for the appellees.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clk.

Thursday December 14th 1871.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices.

Richard C. Parsons Esquire Marshal
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Hon Clarkson N. Potter, it is ordered that James P. Sanders Esquire of Yonkers, and H. Boardman Smith Esquire of Elmira State of New York be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the court in this behalf by Hon Matt H. Carpenter it is ordered that Horatio C. Burchard Esquire of Freeport State of Illinois, be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

On motion first made to the court by Mr T. J. Durant it is ordered that Reginald Fendall Esquire of Washington City District of Columbia, be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

People of the State of New York.
71. vs. Plaintiff in Error.
Central Railroad Company of New Jersey.

Mr Frelinghuysen of counsel for the defendants in Error, filed motion to dismiss the writ

of error in this cause.

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30. James W. H. Webb. vs. H. A. Barling et al. Appellant

The argument of this cause was continued by Mr D. D. Lord of counsel for the appellees, and concluded by Mr E. C. Benedict of counsel for the appellant.

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37. Md. & Penn. R.R. Co. vs. James T. Soutter et al. Appellants

The argument of this cause was commenced by Mr C. B. Smith of counsel for the appellants and continued by Mr J. W. Cary of counsel for the appellees.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven o'clock.

Friday December 15th 1871.

Pursuant to adjournment the court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley

} Associate Justices

Richard C. Parsons Esquire Marshal

Daniel Wesley Middleton Clerk.

Proclamation being made the court is opened.

On motion first made to the court in this behalf by Hon S.M. Kellogg, it is ordered that Tilton E. Doolittle Esquire of New Haven State of Connecticut be admitted to practice as an attorney & counsellor of this Court, and he was sworn accordingly.

The Schuylkill and Dauphin Improvement & Railroad Company et al.
160. vs. Plffs. in Error
S. A. Munson et al.

On motion of Mr Sharpless of counsel for the plaintiffs in Error, it is ordered that leave be granted him to file additional assignment of errors in this cause.

D. F. Randolph
519 vs. Appellant
Roswell H. Howard admr &c. et al.

Mr J. S. Prescott filed motion to require appellant to give additional bond in this cause, which motion is hereby set down for argument on the 2nd Friday of January next, upon due notice being given to counsel for the appellant.

The Steamer Patapsco, her tackle &c. Borland Claimt.
110 vs Appellant
James Boyce.

The motion to dismiss this cause was argued

by Mr O. Howard of counsel for the appellee in support thereof, the court declining to hear Mr Donohue in opposition to the motion - Whereupon this court not being now here sufficiently advised of, and concerning what order to render in the premises took time to consider.

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478. Rosa Stout vs Plff in Error. The People of U.S. in the Territory of Utah.

Mr Hallyer of counsel for the plaintiff in error moved the court to have this cause advanced on the docket, for argument, which was opposed by Mr Solicitor General Bristow - Whereupon this court not being now here sufficiently advised of, and concerning what order to render in the premises took time to consider.

Friday December 15 1871.

538. Enoch Coe vs. Appellant John H Keyser. | Mr J. E Doolittle of Counsel for the appellee having filed and read in open court the following certificate, and documents annexed thereto, to wit.

"In the Circuit Court of the United States for the District of Connecticut.

Enoch Coe vs. Appellant John H. Keyser Appellee. } Seal

Appeal from the said Circuit Court to the Supreme Court of the United States.

I Loren P. Hurlbut Clerk of said Circuit Court, do hereby certify that at the April term of said court in the year 1871, in said court, in a cause entitled John H Keyser, vs Enoch Coe a decree was entered in

favor of the said Keyser, and an appeal taken and allowed by and to said Coe to the Supreme Court of the United States, and that the annexed papers are true copies of said decree, appeal and allowance thereof.

In testimony whereof I have hereto set my hand and the seal of said Court at Hartford in said District, this 6th day of December A.D. 1871.

Loren P. Waldo
Clerk of the U.S. Circuit Court for the District of Connecticut.

John H. Keyser
vs
Noah Coe

United States
Circuit Court
District of
Connecticut.

At a stated term of the Circuit Court of the United States, holden at New Haven within and for

the District of Connecticut on the 11th Tuesday of April 1871.

This cause came on to be heard at this term and was argued by Counsel on the pleadings & proofs and the Court having considered the same found the allegations in said petition to be true, and thereupon it was ordered, adjudged and decreed as follows:

That a perpetual injunction issue against the said defendant Enoch Coe commanding, enjoining and restraining the said Enoch Coe, his clerks attorneys, agents, servants, and workmen from any further prosecuting or continuing the manufacture on said Goose Island named in said bill of complaint of mineral phosphate and artificial manures or any other articles or from fish or from bones, or from dead animals, or from any substance whatever by noxious or offensive smells

or odors are generated and communicated to the atmosphere and from mixing separating, combining stirring handling or transporting on said Goose Island, any of the above named articles or substances or materials whatever whereby offensive or noxious smells are generated and communicated to the atmosphere.

And it is further ordered adjudged and decreed that the said defendant Enoch Coe pay to the said plaintiff his costs in this behalf incurred to be taxed & that he have execution for the same.

Wm. D. Shipman
Judge.

John H. Keyser
vs
Enoch Coe.

Circuit Court of the United States 2nd Circuit and District of Connecticut.

And at the time of said court holden at New Haven on the

fourth Tuesday of April A.D 1871. Comes the respondent in said cause and appeals from the judgment entered at said term decreeing a perpetual injunction against the respondent and that the petitioner recover his costs to the Supreme Court of the United States, next to be holden at the City of Washington, on the first Monday of December A.D. 1871.

Enoch Coe

And thereupon said appeal is allowed by this court, and the said respondent having filed his bonds with surety to the adverse party in the sum of five thousand dollars which is accepted by the court conditioned that said appellant prosecute said appeal to effect, and answer all Costs and damages, in case they fail to make their plea good.

Wm D. Shipman. Judge

and having stated that the appellant had altogether failed to file the record of said cause, in this court, or in anyway to prosecute said appeal, now here moved the court in pursuance of the 9th rule of this court to have this appeal docketed & dismissed On consideration whereof, it is now here ordered adjudged and decreed by this court that this appeal from the Circuit Court of the United States, for the District of Connecticut be, and the same is hereby docketed and dismissed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court, to be proceeded in according to law & justice the said appeal notwithstanding.

per Mr Chief Justice Chase.

1181 Dance N. Gray vs Peffer Error. Wm F. Coan et al. | The argument of the motion to dismiss this cause was commenced by Mr A. R. Cotton in favor of the same, continued by Mr Dance Gray in opposition thereto, and concluded by Mr Cotton in favor of the motion. Whereupon this Court not being now here sufficiently advised of & concerning what order to render in the premises took time to consider.

Rule. In the matter of Alexander McNeil Esq'r. Petitioner | Mr C. Donohue asked and obtained leave to file petition for a writ of prohibition to the District Court of the United States for the Eastern District of New York, and it is ordered that said petition be set down for argument on the 2nd

Friday of January next, being the 12th day of said month.

Ex parte, In the matter of Henry H. Laud, Original - Petitioner | Mr C. Donohue asked and obtained leave to file

8 petition for a writ of prohibition to the District Court of the United States, for the Eastern District of New York, and it is ordered that said petition be set down for argument on the 2nd Friday of January next being the 12th day of said month

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The Md & Del Main R.R. Co. vs. James T. Soulter et al. Appellants | The argument of this cause was continued by Mr John H. Carey of counsel for the appellees & concluded by Mr Mall H. Carpenter of counsel for the appts.

37

Proclamation being made the Court is adjourned until Monday morning next at Eleven o'clock.

Monday December 18, 1871. Continued

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices.

Richard C. Parsons Esquire Marshal
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Albert Pike it is ordered that R. H. Watkins Esquire of Little Rock State of Arkansas be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr Charles F. Peck it is ordered that John P. Murray Esquire of Gainesboro State of Tennessee be admitted to practice as an attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr James M Castleton, it is ordered that Robert Taliaferro Esquire of Savannah State of Georgia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr Solicitor General Bristow, it is ordered that Gilbert D. Munson Esquire of Zanesville State of Ohio, and Cyrus Bentley Esquire of Chicago State of Illinois be admitted to practice

as attorneys and counsellors of this Court, and they were sworn accordingly.)

On motion first made to the Court in this behalf by Mr Caleb Boggs it is ordered that John L. Hoffman Esquire of Clarksburg State of West Virginia be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Benoit J. Caujolle, Catharine Eulen Caujolle wife of Barthelemy Caujolle by Alphonse Dufot her next friend - Marie Julien Caujolle, wife of Eli Maurelle by Alphonse Dufot, her next friend.
23. vs. Appellants.
Cyrus Curtiss and John B. Ferris, administrators of Jeannie Dufour deceased

Appeal from the Circuit Court of the United States for the Southern District of New York.

Monday December 18, 1871. Continued.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States, for the Southern District of New York, and was argued by Counsel. On Consideration whereof it is now here ordered adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

Per Mr Justice Davis

The Chief Justice having been of Counsel for the appellee Fernie took no part in this cause.

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15. John T. Sammes adm.r of William R. Duckett deceased. Pl.ff in Error. vs. The City Fire Insurance Company of Hartford Connecticut

In error to the Circuit Court of the United States for the District

Monday December 18th 1871 Continued.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Connecticut and was argued by counsel. On consideration whereof, it is now here ordered & adjudged by this Court, that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court with directions to award a new trial.

per Mr Justice Miller.

The Officers and Crews of the United States Ships of War Monadnock, Kalkill, Tunucket, Canonicus, Mahopac, Sangamon et al. Appellants

vs

The United States

Appeal from the District Court of the United States for the District of Massachusetts.

27.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Massachusetts, and was argued by Counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court, that the decree of the said District Court in this cause be and the same is hereby affirmed.

per Mr Justice Swayne.

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74. Ellen Blaisdell et al vs. John A. Allen, assignee of William Downing Bankrupt. Appellants

Appeal from the Circuit Court of the United States for the Districts of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States, for the Districts of Missouri, and was argued

by counsel. On consideration whereof, it is now here ordered adjudged and decreed by this Court, that this appeal be, and the same is hereby dismissed for the want of jurisdiction.

per Mr Chief Justice Chase.

The Steamer "Palapsco" her tackle &c. Portland Claimant. Appellant
vs.
James Boyer.
1140

On consideration of the motion to dismiss this cause and of the arguments of counsel thereupon had in support of the same. it is now here ordered by the Court that said motion be, and the same is hereby denied.

per Mr Chief Justice Chase.

Horace Stout
vs. In Error
The People of the U.S.
in the Terry of Utah.
1178

On consideration of the motion filed by Mr Hillyer to advance this cause

and set it down for hearing, it is now here ordered by the Court, that said motion be, and the same is hereby granted. And that this cause be, and the same is hereby assigned for argument on Tuesday the 16th day of January next.

Present Mr Chief Justice Chase

481. Eunice N. Gray vs. Wm T. Coan. Walter J. Hayes, Patrick Judge, Cornelius Shay, Patrick Haley, Owen Melvin, William Rogan, Timothy Haley, Patrick Riley & Anthony Rowan

Appellant

In Error to the Supreme Court of the State of Iowa.

This cause came on to be heard on the Supreme Court of the State of Iowa, and was argued by counsel. On consideration whereof it is now here ordered & adjudged by this Court that the writ of error

in this cause be, and the same is hereby dismissed with costs.

per Mr Chf Jus. Chase.

Alfred Metcalf and William T. Ford vs. John A. Campbell, Walter Collins, & Donald McLane. 547.

Mr J. H. Ashton having filed and read in open court, the following

certificate to wit:

"In the Supreme Court of Montana Territory.

August Term thereof A.D. 1871.

John A. Campbell, Walter Collins, and Donald McLane. Plffs & Respondents. against Alfred Metcalf, and William T. Ford Defendants & Appellants.

I J. R. Alden Clerk of the Supreme Court of Montana Territory do hereby certify that on the 1st. day of September A.D. 1871. Alfred Meloy, and William T. Ford defendants and appellants in the above entitled cause, sued out and perfected an appeal of said cause to the Supreme Court of the United States from the decision rendered therein by the Supreme Court of Montana Territory at a regular term thereof on the 23rd. day of August A.D. 1871. and that no transcript or copy of the record of proceedings had in said cause has been ordered or obtained by said defendants.

In testimony whereof. I have hereunto set my hand and affixed the seal of said Supreme Court of Montana Territory at Virginia City this 7th. day of November A.D. 1871.

Seal

J. R. Alden. Clerk."

and having stated that the appellants had altogether failed to file the record of said cause in this court, or in anyway to prosecute said appeal now here moved the court in pursuance of the 9th rule of this court to have this appeal docketed and dismissed - On consideration whereof, it is now here ordered adjudged and decreed by this court that this appeal from the Supreme Court of Montana Territory be and the same is hereby docketed and dismissed with costs. And that this cause be, and the same is hereby remanded to the said Supreme Court to be proceeded in according to law and justice the said appeal notwithstanding.

Per Mr Chief Justice Chase.

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548 Andrew J. Davis vs. Peffin Error
John Beisland

Mr J. H. Ashton having filed and read in open court the follow-

ing certificate to wit.

"In the Supreme Court of Montana Territory.

August Term thereof A.D. 1870.

John Bilsland

Respondent,

against

G. Frees Sherman, Charles Daher, Andrew J. Davis, Henry Hyttenbach, John C. Barnes, H. H. Arnold, William Senior, George McBirney, James Mason, L.B. Duke, John Barnett, R. S. Hale, H. Rankin, H. S. Paynter, Wm. P. Wilder, John Murphy, Samuel Davenport, John Shively, Daniel B. Dressler, E.L. Curry, A.G. Clarke, Thomas Conrad, and John Curtin. Appellants

I, J.R. Allen, Clerk of the Supreme Court of Montana Territory do hereby certify that on the 21st day of November A.D. 1870, an appeal was taken of the

above entitled cause from the decision rendered therein by the said Supreme Court at the said term to the Supreme Court of the United States, by and on behalf of Andrew J. Davis, one of the above named defendants and appellants. That afterwards to wit on the 15 day of September A.D. 1871 another appeal of said cause was by said Davis sought to obtained and a corrected record of the proceedings had therein was duly prepared and delivered to him.

In testimony whereof, I have hereunto set my hand and affixed the seal of said Supreme Court of Montana Territory at Virginia City in said Territory, this 31st. day of October A.D. 1871

(Seal)

L. R. Alden
Clerk."

And it having stated that the plaintiff in error had altogether failed to file the record of said cause in this

court or in anyway to prosecute said writ of error now here moved the Court in pursuance of the 9th rule of this Court to have this writ of error docketed and dismissed On consideration whereof, it is now here ordered and adjudged by this court that this writ of error from the Supreme Court of Montana Territory be, and the same is hereby docketed, and dismissed with costs, and that this cause be, and the same is hereby remanded to the said Supreme Court to be proceeded in according to law and justice, the said writ of error notwithstanding.

per Mr Chief Justice Chase.

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65 Charles K. Marshall vs The Mayor of Vicksburg. Appellant.

On motion of Mr Phillips and consent of Mr Carlisle it is now here ordered by the Court that this cause be, and the same is hereby continued to the next term of this court.

38. East Saginaw Salt Manufacturing Compy. vs. Piff in Error. City of East Saginaw et al.

This cause was submitted to the consideration of the court on the transcript of the record by Mr M.H. Carpenter - with leave to the parties to file briefs or printed argument within ten days from this date.

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39. Sevaly Tompkins et al. vs. Appellants Alfred A. Thornton.

This cause was argued by Mr Thomas Ewing of counsel for the appellants, and by Mr F.C. Smith of counsel for the appellee.

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40. The United States vs. Appellants. Heirs of J.D. Vigil deceased.

On the application of counsel it is now ordered by the Court that this cause be passed for the present & assigned for argument Monday the 12th day of Feby next.

In this situation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Tuesday December 19. 1871.

Pursuant to adjournment the Court met this morning at the Capitol.

Present,

The Honorable Salmon P. Chase, Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices

Richard C. Parsons Esquire Marshal
Daniel Henry Middleton, Clerk.

Proclamation being made the Court is opened.

The Chief Justice announced that the opinions in the Legal Tender cases will be read at an early day after the recess. that the decision had been postponed at the request of the Minority.

Charles Shultz 111 vs. Plff in Error Wm. Thompstal.	This cause was argued by Mr Caleb Boggs of counsel for the plaintiff in error and by Mr B. H. Smith for the defendants in error.

Diego J. Pumpelly 115 vs. Plff in Error. Green Bay & Missis- sippi Canal Compy.	The argument of this cause was commenced by Mr J. M. Gillett of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Wednesday December 20. 1871.

Pursuant to adjournment the court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase, Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices.

Richard C. Parsons, Esquire Marshal
Daniel Wesley Middleton, Clerk

Proclamation being made the court is opened.

On motion first made to the court in this behalf by Mr George H. Pendleton, it is ordered that D. C. Giddings Esquire of Brenham, and W. S. Herndon Esquire of Tyler, State of Texas be admitted to practice as attorneys and counsellors of this court & they were sworn accordingly.

On motion first made to the Court in this behalf by Mr P. Phillips it is ordered that James Stanley Esquire of Syracuse, and William L. Lansing Esquire of Chittenango State of New York be admitted to practice as attorneys and counsellors of this court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr Charles M. Keller it is ordered that Charles F. Blake Esquire of New York City be admitted to practice as an attorney & counsellor of this court, and he was sworn accordingly.

On motion first made to the court in this behalf by Mr George H. Woodward it is ordered that George Shiras junior Esquire of Pittsburgh State of Pennsylvania be admitted to practice as an attorney and counsellor of this Court & he was sworn accordingly.

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45. George J. Pumpelly vs Plff in Error. Green Bay and Miss Canal Company. | The argument of this cause was continued by Mr J. M. Gillet of counsel for the plaintiff in Error and by Mr H. L. Palmer of counsel for the defendant in error, and concluded by Mr Gillet for the plaintiff in error.

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48. The United States vs Plff in Error Alfred Kruger et al. | Ordered by the Court that this cause be, and the same is hereby continued to the next term of this court.

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50. William Carlton, and The Bridgeport Brass Co. vs Appellants Howard Bokee. | The argument of this cause was commenced by Mr J. H. B. Latrobe of counsel for the appellants.

The Chief Justice announced that no other case would be called for argument, until after the recess.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Thursday, December 21st 1871.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase Chief Justice
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices.

Richard C. Parsons Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

Wm. McCullen & The Bridgeport Brass Co. vs. Appellants. Howard Potter.	The argument of this cause was continued by Mr. J. H. B. Latrobe of counsel for the appellants & by Mr. C. F. Blake & C. McKellar of counsel for the appellee.

No. 50.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven o'clock.

Friday December 22. 1871.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase Chief Justice

Nathan Clifford
Noah H Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley.
} Associate Justices.

Richard C. Parsons Esquire Marshal.

Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr P. Phillips it is ordered that T. H. B. Crews Esquire and William H. Letcher Esquire of St Louis, State of Missouri be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

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50. Wm A Coulton and The Bridgeport Brass Comp'y vs. Howard Bakee. Appellants.

The argument of this cause was concluded by Mr B R Curtis of counsel for the appellants.

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309. John D. Kennedall dal. vs. The Board of Supervisors of Wayne County, Illinois. Appellants.

Mr Merwick in behalf of Mr S. A. Goodwin of counsel for the appellants, suggested the death of Wm. Cumi P. Emmerson one of the appellants in this cause and moved the court for leave to file the appearance of Thomas Upham executor of the said William P. Emmerson deceased as one of the appellants in this cause. On consideration whereof, it is now here ordered by the court that the appearance of the said Thomas Upham executor

aforesaid be entered, and he is hereby made a party appellant in this cause with liberty to prosecute this appeal.

---

71. The People of the State of New York. vs. Plff in Error, Central Railroad & Company of New Jersey.

The motion to dismiss this cause was argued by Mr Frelinghuysen and Mr Quinnick in support thereof and by Mr A. J. Parker in opposition thereto. Whereupon this Court not being now sufficiently advised of and concerning what order to render in the premises took time to consider.

1131. William A. Tracy & Co. vs. Appellants The Ship Protector &c.

The motion to dismiss this cause was argued by Mr F. Phillips in support thereof, and by Mr F. S. Blount in opposition

Ordered - Whereupon this court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

---

441 Eliza Jane Mahan et al. vs. The United States. Appellants

The motion to remand this cause to the Court of Claims for additional findings, was argued by Mr R. M. Corwine in support thereof, and by Mr Solicitor General Bristow in opposition thereto - Whereupon this court not being now here sufficiently advised of, and concerning what order to render in the premises took time to consider.

Proclamation being made the court is adjourned until Monday the 8th day of January next at Eleven o'clock.

Monday January 5th 1874.

Pursuant to adjournment the Court met this morning at the Capitol.

Present—

The Honorable Salmon P. Chase Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
William Strong
Joseph P. Bradley
} Associate Justices.

Richard C. Parsons Esquire Marshal.

Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

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51. Jabez Dooley vs. Pliff in Error / Enoch Smith.

This cause was argued by Mr Jarret Davis of Counsel for the plaintiff in error and by Mr S. H. Wadsworth of counsel for the defendant in error.

	The Trustees of Jefferson College &c.	On the
55	vs. Plaintiff in Error	application
	Washington & Jefferson College.	time of
		Counsel
	Francis J. Collier et al.	it is or
56	vs Plaintiff in Error	dered by
	Washington & Jefferson College.	the Court
	and	that one
	David C. Houston et al.	counsel
57	vs. Plff's in Error.	at time
	Trustees of Jefferson College &c.	be at
		bowed

on each side in the argument of the causes.

	The Trustees of Jefferson College &c.	Assignment
55	vs Plff's in Error	of Errors
	Washington & Jefferson College	and an
	Francis J. Collier et al	swer by
56.	vs. Plff's in Error	Mr Geo Shiras
	Washington & Jefferson College.	jr of counsel
	David C. Houston et al.	as for the
57	vs Plff's in Error	Plaintiffs
	The Trustees of Jefferson College.	in Error.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven o'clock.

Tuesday January 9th 1872.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong &
Joseph P. Bradley
} Associate Justices.

Richard C. Parsons Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

Annette R. Mardis, widow of Samuel R. Mardis, deceased. Pltff in Error.
vs.
Caspar Busse
Deft in Error

Mr T. J. Durant of Counsel for the defendant in Error having filed and read in open Court the following certificate to wit:

"United States Circuit Court. Fifth Circuit & District of Louisiana. Clerks Office.

I, Francis A. Wolf. Clerk of the said Court do hereby certify that in the case of Mrs. Annette Mandis widow of the late S.R. Mandis, and Mrs Eudenia Kayser surviving widow of A.G. Briant vs. Caspar Lusse No 6013 of the docket of said Court, the following judgment was rendered on the 25th of May 1871, and signed on the 8th June 1871.

"By reason of the verdict and in accordance therewith it is ordered adjudged and decreed that Caspar Lusse do have and recover from the defendants Mrs Annette Mandis and Mrs Eudenia Briant, widow of A.G. Briant in solido, the sum of thirty-two hundred dollars with 5% interest thereon from 25 May 1866. till paid and cost of suit" and that, on the 5th

day of June 1871. a writ of error to the Supreme Court of the United States was allowed to the said Annette Mundis widow of the late Samuel P. Mundis; returnable on the first Monday of December 1871.

In testimony whereof I hereunto subscribe my name and affix the seal of said Court at the City of New Orleans this 9th day of December A.D. 1871.

F. A. Woolley
Clerk"

and having stated that the plaintiffs in error had altogether failed to file the record of said cause in this court or in any way to prosecute said writ of Error now here moved the Court in pursuance of the 9th rule of this Court to have the writ of error docketed and dismissed the consideration whereof, it is now here ordered and adjudged

by this court that this writ of error from the Circuit Court of the United States for the District of Louisiana be, and the same is hereby dismissed and dismissed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court to be proceeded in according to law and justice the said writ of error notwithstanding.)

Per Mr Chief Justice Chase.

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55 The Trustees of Jefferson College &c Plaintiff in Error vs. Washington & Jefferson College.

56 Francis J. Collier et al. Plaintiff in Error, vs. Washington & Jefferson College and David C. Houston et al.

57 Jeffs. in Error, vs. Trustees of Jefferson College.

The argument of these cases was continued by Mr J. S. Black and Mr D. A. Wells of counsel for the defendants in error, and concluded

by Mr George H. Woodward of counsel for the plaintiffs in error.

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52. The County of Saltchal. vs. Pfiff in Error. Henry Amy.

This cause was argued by Mr Montgomery Blair of counsel for the plaintiffs in error, and submitted on printed argument by Mr J. W. Stevenson of Counsel for the defendant in error.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven o'clock.

Wednesday January 10. 1872.

Pursuant to adjournment the court met this morning at the Capitol.

Present:

The Honorable Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices

Richard C. Parsons Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened

On motion first made to the court on this behalf by Mr. F. Phillips it is ordered that Raphael J. Moses junior Esquire of Columbus State of Georgia be admitted to practice as an attorney & counsellor of this court and he was sworn accordingly.

The Honorable George H. Williams appeared and produced the following letters patent, which were read in open court, and ordered by the Court to be recorded on the minutes of this Court, in the following words, viz:

Ulysses S. Grant
President of the United States of America
To all who shall see these presents Greeting.
Know Ye. That reposing special trust and confidence in the patriotism integrity and abilities of George H. Williams of Oregon. I have nominated and by and with the advice and consent of the Senate do appoint him to be Attorney General of the United States, and do authorize and empower him to execute and fulfil the duties of that office according to law, and to have and to hold the said office with all the powers privileges, and emoluments to the same of right, appertaining

vests him the said George H. Williams subject to the conditions prescribed by law. This commission to take effect on the tenth of January 1872.

In testimony whereof, I have caused these letters to be made patent, and the seal of the United States to be hereunto affixed.

Given under my hand at the City of Washington the fourteenth day of December, in the year of our Lord one thousand eight hundred and seventy one and of the independence of the United States of America the ninety-sixth.

By the President U. S. Grant.

Hamilton Fish Secy of State

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305. Simon J. Davis, governmental. vs. Appellants. John H. Gray, Receiver of the Memphis & Little Rock Railroad Co.

This cause was argued by Mr. T. J. Durant & Mr George F. Moore of Counsel for the appellants and by Mr. J. McGee Davenport

and Mr Cortlandt Parker of counsel for the appellees.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven o'clock.

Thursday January 11. 1872.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley.

} Associate Justices.

Richard C. Parsons Esquire Marshal.

Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

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59. Ira G. French vs Peffin Error Thomas Edwards dal.

Ordered by the Court that this cause be, and the same is hereby passed for the present.

Butchers Benevolent Asso
ciation of New Orleans.
60. vs. Plffs. in Error.
The Crescent City Stock
Landing & Slaughter House
Company.

Paul Esteban et al.
61. vs. Plffs. in Error
The State of Louisiana
Ex rel The Attorney Genl
and
The Butchers Benevolent
Association of New Orleans.
62. vs. Plaintiffs in Error.
The Crescent City Live
Stock Landing & Slaugh-
ter House Company.

On the application of counsel it is now ordered by the Court that an additional hour be allowed on each side in the argument of these cases.

The Butchers Benevolent Association of New Orleans.
60 vs Plffs in Error.
The Crescent City Live Stock Landing & Slaughter House Company.

Paul Esteban et al.
61 vs. Plffs. in Error.
The State of Louisiana & rel The Atto General.

and

The Butchers Benevolent Association of New Orleans
62. vs Plffs. in Error.
The Crescent City Live Stock Landing & Slaughter House Company.)

The argument of these cases was commenced by Mr J. A. Fellows of counsel for the plaintiffs in error and continued by Mr M. H. Carpenter and Mr T. J. Durant of counsel for the defendants in error, and by Mr J. A. Campbell for the plaintiffs in Error.

Proclamation being made the court is adjourned until tomorrow morning at Eleven o'clk.

Friday January 12. 1872.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices.

Richard C. Parsons Esquire Marshal
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court on this behalf by Hon Matt H. Carpenter it is ordered that C. D. Merrill Esquire of Washington City District of Columbia be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made in this cause by Mr S. S. Kinsella, it is ordered that Roswell F. Howard Esquire of Texas State of Ohio be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

The Butchers Benevolent Association of New Orleans
60. vs. Plffs. in Error
The Crescent City Live Stock Landing & S. House Co.

Paul Esteban et al.
61. vs. Plaintiffs in Error
State of Louisiana & ors
The Attorney General.

and

The Butchers Benevolent Association of New Orleans
62 vs. Plaintiffs in Er.
The Crescent City Live Stock Landing & Slaughter House Company.

Re argument of these causes was ordered by Mr J. A. Campbell of counsel for the plaintiffs in error.

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293. John Maguire vs. Plff in Error / Mary S. Tyler et al. | Ordered by the Court that the motion of Mr Glover to advance this cause on the docket for argument, be set down for hearing on Friday next the 19th inst.

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289. Lucy A. Carroll, admx &c vs. The United States. Appellant | This cause was submitted to the consideration of the Court on the record and printed argument by Mr R. McCormick of counsel for the appellant and by the Solicitor General Bruce for the appellees.

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510. William T. Davidson vs. Plff in Error / Arthur Connelly. | The motion to dismiss this cause was submitted to the consideration of the Court on printed arguments by Mr James Smith junior in support

of the same, and by Mr L. Ellis in opposition thereto - Whereupon this Court not being now here sufficiently advised of, and concerning what order to render in the premises took time to consider.

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503. Frederick Stevens et al. Pffs. in Error. vs. Franklin County et al. | The Court declined to hear argument on the motion to dismiss this cause until after the record shall be printed.

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503. Frederick Stevens et al Pffs. in Error. vs. Franklin County et al. | Mr. J. H. B. Crews of counsel for the defendants in error having filed and read in open court a suggestion of a diminution of the record in this cause in the words and figures following to wit:

The transcript of the

293. John Maguire vs. Pltff in Error
Mary S. Tyler et al.

Ordered by the Court that the motion of Mr Glover to advance this cause on the docket for argument, be set down for hearing on Friday next the 19th instant.

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289. Mary A. Carroll, admx &c vs. The United States.

This cause was submitted to the consideration of the Court on the record and printed argument by Mr R. McCormick of counsel for the appellant and by the Solicitor General Brief for the appellees.

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510. William T. Davidson vs. Pltff in Error Arthur Connelly.

The motion to dismiss this cause was submitted to the consideration of the Court on printed arguments by Mr James Smith junior in support

of the same, and by Mr L. Ellis in opposition thereto - Whereupon this Court not being now here sufficiently advised of, and concerning what order to render in the premises took time to consider.

503.	Frederick Stone et al. vs. Jeffs. in Error Franklin County et al.	The Court declined to hear argument on the motion to dismiss this cause until after the record shall be printed.

503.	Frederick Stone et al vs. Jeffs. in Error. Franklin County et al.	Mr. G. H. B. Evans of counsel for the defendants in error having filed and read in open court a suggestion of a diminution of the record in this cause in the words and figures following to wit,

The transcript of the

record filed herein does not contain a copy of the written opinion of the Supreme Court of Missouri in relation thereto, and which said opinion was as required by the laws of Missouri filed in this cause.

Nor does said transcript contain the motion for a rehearing filed in the Supreme Court of Missouri by the plaintiffs in error, nor the order of said Court overruling said motion."

By reason of which omissions and errors aforesaid the said Counsel now here moved the Court to award a writ of certiorari to be directed to the Judges of the Supreme Court of the State of Missouri commanding them that searching the records and proceedings of said Court in this cause they shall certify to this Court under the seal of the said Supreme Court whatever omissions and errors shall be found. On consideration whereof it is

now here ordered and adjudged by this Court that a writ of certiorari be and the same is hereby awarded to be issued forthwith and to be directed to the Judges of the said Supreme Court commanding them that searching the records and proceedings aforesaid they forthwith certify to this Court under the seal of the said Supreme Court whatever omissions and errors shall be found in this cause, and return the same with the said writ of certiorari forthwith to this Court.

Per Mr Chief Justice Chase.

L. Ortman et al
vs
Charles Sawyer et al.

1871.

On motion of Mr Merrill and Attorney General Hill of Counsel for the appellees, this now here ordered by the Court that this cause abate as to B. W. Eldridge, deceased one of the appellants in this cause.

184	S. Oakman et al. as Appellants Charles Sawyer et al.	Ordered by the Court that the motion of Mr C. H. Hill for additional security in this cause be set down for argument on Friday next the 19th instant.

519	B. F. Randolph as Appellant Roswell F. Howard	Ordered by the Court that the motion of Mr J. S. Prescott to increase the bond in this case be, and the same is hereby denied.

20th of Dec. 1871	The Schooner Lucy &c. as Appellant. The United States.	On motion of Mr Durant leave granted him to withdraw the transcript of the record in this cause from the files of this Court.

Chicago & North Western Railroad Company. pl. vs Plaintiff in error. Henry K. Whiton adm'r.	On motion of Mr Carpenter it is ordered by the Court

that this cause be passed when reached in the regular call of the docket, without prejudice.

The Liverpool and London and Globe Insurance Co. pl. vs. Plaintiffs in Error. Charles A. Isaacs.	Mr Edward Janin of counsel for

the defendant in error having filed, and read in open court the following certificate to wit:

Circuit Court of the United States Fifth Circuit and District of Louisiana.

Clerks Office.

I. Francis A. Wolfley clerk of the said Court do hereby certify that in the case

of Charles A. Lacoste vs The Liverpool and London and Globe Insurance Company No 6002 of the docket of said Court, the following judgment was rendered on the 11th day of February 1871, and signed on the 18th February 1871

"For reasons orally assigned by the Court, it is ordered adjudged and decreed that Charles A. Lacoste do have and recover judgment against the defendant, The Liverpool and London and Globe Insurance Company for the sum of ten thousand dollars with 5% interest from 6 December 1867 till paid and costs of suit, and that on the 21st day of February 1871, a writ of error to the Supreme Court of the United States was allowed to the said Liverpool and London and Globe Insurance Company returnable on the first Monday of December 1871.

In testimony whereof.
I hereunto subscribe

(seal)

my name and affix the seal of said Court at the City of New Orleans, this fourth day of January A.D. 1872

F. A. Wolfley
Clerk"

And having stated that the plaintiff in error had altogether failed to file the record of said cause in this Court, or in any way to prosecute said writ of error, now here moved the Court in pursuance of the 9th rule of this Court to have this writ of error docketed & dismissed. On consideration whereof, it is now here ordered and adjudged by this Court, that this writ of error from the Circuit Court of the United States for the District of Louisiana, be and the same is hereby docketed and dismissed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court to be

proceeded in according to law and justice, the said writ of error notwithstanding.

per Mr Chief justice Chase.

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38. East Saginaw Salt Manufacturing Comp'y. pl. Piff in Error. City of East Saginaw def.

On motion of Mr Carpenter it is ordered that leave be granted him to file new appeal bond in this cause.

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190. The President &c of the Bank of East Tennessee. vs. Piff in Error. The Citizens Bank of Louisiana

The motion to dismiss this cause was argued by Mr Durant in support of the same and submitted on printed argument by Mr Edward Janin in opposition thereto. Whereupon this Court not being now sufficiently advised of and concerning their order to render in the premises

took time to consider.

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63. The Nicholson Pavement Co. vs. Charles E. Jenkins | This cause was argued by Mr T. J. Crittenden of counsel for the plaintiff in error and by Mr M. H. Carpenter of counsel for the defendant in error.

Proclamation being made the Court is adjourned until Monday morning next at Eleven o'clock.

Monday January 15. 1872

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley.
} Associate Justices.

Richard C. Parsons Esquire Marshal
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr P. Phillips it is ordered that F. P. Hand Esquire of Huntsville State of Alabama, be admitted to practice as an attorney and Counsellor of this Court, and he was sworn accordingly.

10	William B. Knox vs. Peff in Error Phebe G. Lee, and Hugh Lee her husband.	In Error to the Circuit Court of the United States for the West ern District
	of Texas.	
	and	
17	Thomas H. Parker vs. Peff in Error. George Davis.	In error to the Supreme Judicial Court of the Commonwealth
	of Massachusetts.	

These cases were argued and decided, and judgments entered at December Term 1870 (1st of May 71.) and the opinion reserved. (The Court now delivered their opinions as follows:

Mr Justice Strong delivered the opinion of the Court, affirming the judgments in said cases. Mr Justice Bradley delivered a concurring opinion.

Mr Chief Justice Chase.

delivered a dissenting opinion which was concurred in by Justices Nelson, Clifford and Field - Mr Justice Clifford and Mr Justice Field delivered separate opinions.

The Chief Justice announced that the Court would not sit tomorrow but would be engaged in conference.

Proclamation being made the Court is adjourned until Wednesday Morning next at Eleven o'clock

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Wednesday January 17, 1872.

Pursuant to adjournment the court met this morning at the Capitol

Present,

The Honorable Salmon P. Chase Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis,
Stephen J. Field,
William Strong
Joseph P. Bradley
} Associate Justices.

Richard C. Parsons Esquire Marshal
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon Matt H. Carpenter, it is ordered that Sam H. Williams Esquire of Little Rock State of Arkansas, and Don M. Dickinson Esquire of Detroit State of Michigan be admitted to practice as Attorneys and Counsellors of this Court and they were sworn accordingly.

On motion for & made to the Court on this behalf by Hon Clarkson N. Potter, it is ordered that Gershon A. Seixas Esquire of New York City be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

Hiram Stark
vs. } In Error.
The People of the U.S. in the Territory of Utah.

This cause was argued by Mr C. J. Kellogg of counsel for the plaintiff in error, & by Mr Attorney General Williams and Mr Assistant Attorney General Hall of counsel for the D.C.

The County of Pueblo
vs. } In Error.
Henry Amy.

This cause was argued by Mr B. K. Bristow of counsel for the plaintiff in error, & by Mr J. M. Stevenson of counsel for the defendant in error.

No motion being made the Court is adjourned until tomorrow morning at Eleven o'clock.

Thursday January 18th 1872.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase, Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices

Richard C. Parsons Esquire Marshal
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court on this behalf by Hon Matt H. Carpenter, it is ordered that Louis N. Frost Esquire of New York City be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court on this behalf by Mr R. M. Corwine it is ordered that John T. Drew Esquire of Washington City, District of Columbia, be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

Myra Bradwell
vs. } In Error
The State of Illinois

This cause was argued by Mr M. H. Carpenter of counsel for the plaintiff in error. No counsel appearing for the defendant in error.

E. B. Ward
vs. } In Error
The United States.

The argument of this cause was commenced by Mr C. J. Walker of counsel for the plaintiff in error, and continued by Mr Solicitor General Bristow and Mr Attorney General Williams of counsel for the defendant in error.

Charles V. Dyer,
John Forsyth
592. vs. Plffs. in Error.
Edwin L. Marsh, Lorenzo D. Cobb, Martha E. Cobb, Orlando George & Louisa M. George.

Mr J. T. Farnsworth for the defendants in error, having filed and read in open Court the following Certificate

to wit:

In Circuit Court United States.
Northern District of Illinois.

Edwin L. Marsh, Lorenzo D. Cobb, Martha E. Cobb, Orlando George, Louisa M. George. (Ejectment.)

vs.

Charles V. Dyer, John Forsyth.

I William H. Bradley Clerk of the Circuit Court of the United States for the Northern District of Illinois do hereby certify that upon issue joined in the above entitled cause a judgment was

issued against the defendants for the recovery of the possession of the real estate declared on and for costs in said Court on the 15th day of June A.D. 1871. that a writ of error was sued out and a supersedeas bond filed by said defendants on said judgment within the time limited by the Statute.

In testimony whereof I have hereunto set my hand and affixed the seal of said Court at my office in Chicago, in said District this 11th day of January A.D. 1872.

Wm H. Bradley
Clerk."

and having stated that the plaintiffs in error had altogether failed to file the record of said cause in this Court, or in any way prosecute said writ of error now here moved the Court in pursuance of the 9th rule of this Court to have

this writ of error dockted & determined.
On consideration whereof, it is now
here ordered and adjudged by this
Court, that this writ of error from
the Circuit Court of the United
States for the Northern District of
Illinois be, and the same is hereby
dismissed and dismissed with costs.
And that this cause be, and the
same is hereby remanded to the said
Circuit Court to be proceeded in
according to law and justice, the
said writ of error notwithstanding.
per Mr Chief Justice Chase

Proclamation being made the Court
is adjourned until tomorrow morn-
ing at Eleven o'clock.

Friday January 19. 1872.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices

Richard C. Parsons Esquire Marshal
Daniel Henry Middleton Clerk.

Proclamation being made the Court is opened.

No. 1 The Northwestern Union Packet Company. Plff in Error, vs. The Home Insurance Company of New York.

Mr. McCrary submitted motion to strike out of the record a certain paper purporting to be a citation attached to and filed with the record

bearing date the 8th day of August 1871 Whereupon this Court not being now here sufficiently advised of, and concerning what order to render in the premises took time to consider.

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325. H. H. Sewell, admr &c. vs. Leffin' Error
Langdon E. Haskell, admr &c.

Mr S. H. Williams submitted motion to dismiss this writ of Error. Whereupon this Court not being now here sufficiently advised of, and concerning what order to render in the premises took time to consider.

George P. Sewell by his next friend and guardian vs. Appellant
Percival P. Odershaw et al.

Appeal from the Circuit Court of the United States for the Northern District of Illinois.

On the motion of Mr C. F. Beck,

of counsel for the appellant it is now here ordered by the Court that he have leave to file a transcript of the record, and docket this cause in this Court, within sixty days from the 8th of December last the day on which said motion was filed.

John Maguire
295. vs Plff. in Error,
Mary L. Tyler et al.

The motion to advance this cause on the docket and fix a day for hearing was argued by Mr J. McCarlisle, and Mr S. T. Glover in favor of the motion and by Mr P. Phillips and Mr B. A. Hill in opposition thereto - Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

184.	S. Ashman et al vs. Appellants Charles Sawyer et al	The motion for additional security in this cause was submitted to the consideration of the court, by Mr E. H. Hill in support of the same and by Mr Pike in opposition thereto. Whereupon this court not being now sufficiently advised of & concerning what order to render in the premises took time to consider.

292.	Wells Fargo & Company vs. A. McGregor assignee of John M. Clarkson. Plaintiff in Error.	The argument of the motion to dismiss this cause was commenced by Mr Robert Leech in support of the same, and continued by Mr F. A. Dick in opposition thereto.

Proclamation being made the Court is adjourned until Monday morning next at Eleven o'clock.

Monday January 22. 1872.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices.

Richard T. Parsons Esquire Marshal
Daniel Wesley Middleton Clerk

Proclamation being made the Court is opened.

On motion first made to the court in this behalf by Mr Samuel H. Foot it is ordered that Robert E. Foot Esquire of New York City, State of New York be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

The Slamon Villain St. Nibb, Lee Locke & Co. Ogden Huggins et al.
30. vs. Appellants
Henry H. Baring and Abner H. Davis, Executors of Edward Mall Robinson deceased & Samuel G. Reed and Levi J. Hatchkiss.

Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs with the modification that it be reduced to the sum of Eighteen thousand dollars sum-

Monday January 22. 1872.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase Chief Justice
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices.

Richard C. Parsons Esquire Marshal
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Samuel H. Foot it was ordered that Robert E. Foot Esquire of New York City, State of New York be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

	The Steamer William H. Webb, her tackle &c. Ogden Haggerty et al.	Appeal from the Circuit Court of the United States for the Southern District of New York.
30.	vs. Appellants	
	Henry H. Darling and Abner H. Davis, Executors of Edward Mott Robinson deceased & Samuel G. Reed and Levi J. Hatchkiss.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by Counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs with the modification that it be reduced to the sum of Eighteen thousand dollars sum-

Monday January 22. 1872.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase Chief Justice
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices.

Richard C. Parsons Esquire Marshal
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Samuel A. Foot it is ordered that Robert E. Foot Esquire of New York City, State of New York be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

The Steamer William H. Webb, her tackle &c. Cyden Haggerty et al.
30. vs. Appellants
Henry H. Darling and Abner H. Davis, Executors of Edward Matt Robinson deceased & Samuel G. Reed and Levi J. Hatchkiss.

Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by Counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs with the modification that it be reduced to the sum of Eighteen thousand dollars sum-

ages and two hundred and fifty dollars costs. And that each party pay his own costs in this court.

per Mr Justice Strong.

John D. Tebbetts Exrs of Frank Tebbetts deceased. vs. Plff. in Error, Benjamin Wilson, and Elizabeth Wilson.

In error to the Supreme Court of the State of Iowa.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Iowa, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court, that the judgment of the said Supreme Court in this cause, be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Supreme Court with instructions to remand the cause

to the proper inferior Court of the State for further proceedings to be had therein in conformity with the opinion of this Court.

Dissenting: per Mr Justice Field.
Mr Justice Bradley.
" " Miller.

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28. Mary G. Curtis v. Riff in Error. Jonathan Whitney, Exam'r, S. Childs, Willard Lane, C. Schmidz, E. F. Wells, L. Gunderson, and A. Nelson. | In error to the Supreme Court of the State of Wisconsin

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Wisconsin, and was argued by counsel On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said Supreme Court in this

cause be, and the same is hereby affirmed with costs.

per Mr Justice Miller.

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78. William Tucker vs. Jeff in Error Nathan W. Spaulding. | In Error to the Circuit Court of the United States for the District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of California and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said Circuit Court in this cause, be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court, with directions to award a new trial.

per Mr Justice Miller.

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491. Eliza Jane Mahan et al. vs. The United States. Appellants. | On consideration of the motion to remand this cause to the Court of Claims for additional findings and of the argument of counsel thereupon had as well in support of as against the same, it is now here ordered by the court that said motion be, and the same is hereby denied

per Mr Justice Miller

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75. Henry K. Christmas, Mary C. Christmas, and Richard Christmas. vs. W. A. Gaines, A. H. Julian Executor John H. Russell, deceased, Philip Swigert, & H. Watson et al. Appellants | Appeal from the Circuit Court of the United States for the District of Mississippi.

Monday January 22. 1872. Continued.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Mississippi and was argued by counsel. On consideration whereof, it is now here ordered adjudged & decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby reversed with costs - And that this cause be, and the same is hereby remanded to the said Circuit Court with directions to dismiss the bill.

per Mr Justice Swayne.

The President (and) Directors of the Bank of West Tennessee. pl. Plaintiffs in Error.
1871 vs.
The Citizens Bank of Louisiana.

In error to the Supreme Court of the State of Louisiana.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana, and on the motion of Mr Jenni to dismiss the writ of error, and was argued by counsel. On consideration whereof, it is now here ordered adjudged and decreed by this Court that the writ of error in this cause be, and the same is hereby dismissed with costs.

per Mr Justice Swayne

James Armstrong, Jonathan Hayes, and Jesse Carney. Plaintiffs in error. vs Let M. Morrill.

In Error to the District Court of the United States for the District of West Virginia.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the district of West Virginia, and

was argued by Counsel On consideration whereof it is now here ordered and adjudged by this Court, that the judgment of the said District Court in this cause be, and the same is hereby affirmed with costs.

Dissenting per Mr Justice Clifford
Mr Jus Strong.
" Davis
" Bradley.

William H. Chapman admr of the Estate of James L. Loring, decd. vs. Pltfs in Error, William H. Delay, Joseph Delay & Lansing Stout.

In error to the Supreme Court of the State of Oregon.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Oregon, and was argued by Counsel On consideration whereof the Court being equally divided in opinion

it is now here ordered, adjudged and decreed by this Court, that the decree of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

By a divided Court.

The People of the State of New York vs. Piffs in Error. The Central Railroad Company of New Jersey.

In error to the Supreme Court of the State of New York.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of New York being removed of the record and proceedings upon a remittitur from the Court of Appeals of said State, and on the motion of Mr Dennick to dismiss the writ of error which was argued by Counsel. On consideration whereof, it is now here ordered adjudged and

decreed by this Court, that the writ of error in this cause be, and the same is hereby dismissed for the want of jurisdiction.

per Mr Chief Justice Chase.

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293. Shin Maguire vs Plff in Error / Mayo, Tyler et al. | On consideration of the motion to advance this cause on the docket, and fix a day for hearing, and of the argument of counsel thereupon had, as well in support of, as against the same, it is now here ordered by the Court that said motion be, and the same is hereby denied. The Court being equally divided in opinion.

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41. Charles Shutte vs Plff in Error. / Keith Thompson et al. | It is now here ordered by the Court that this cause be re-

argued in writing. the briefs to contain the legislative acts or such

decision of the same, as are material in the decision of the case, and that the case be, and the same is hereby continued to the next term.

93.	Paul Sears et al v. James Scaia &c. Appellants	Mr Carlton moved the court to pass this cause when reached in the regular call of the docket, & fix some future day for argument. Whereupon the court not being now sufficiently advised of & concerning what order to render in the premises took time to consider.

68.	E. B. Ward v. The United States. Jeffin Error	The argument of this cause was concluded by Mr Jno. Y. Edmunds of counsel for the plaintiff in error.

69.	Frank B. Myers v. John T. Croft, Jeffin Error	This cause was submitted to the consideration

of the Court on the record & printed argument by Mr W. G. Fouty and Mr N. Cobb, of counsel for the plaintiffs in error, and by Mr J. J. Reddick for the defendant in error.

70	The Chicago and North Western Railroad Co. vs Piff in Error. Henry K. Whiton admr.	Ordered by the Court that this cause be, and the same is hereby passed for the present.

82.	Henry B. Bland. vs Piff in Error. Josiah Monell.	This cause was submitted to the consideration of the Court on the record and printed argument of Mr. J. M. Johnston of counsel for the plaintiff in Error.

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83. Archibald M. Poultney et al vs. Appellants The Steamer "Ariadne" &c. | The argument of this cause was commenced by Mr. J. C. Parsons of Counsel for the appellants, and continued by Mr. E. A. Green of Counsel for the appellees.

Proclamation being made the Court adjourned until to-morrow morning, at Eleven o'clock.

Tuesday January 23. 1872.

Pursuant to adjournment, the Court met this morning at the Capitol.

Present

The Honorable Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
Joseph P. Bradley
} Associate Justices.

Richard C. Parsons Esquire Marshal
Daniel Kerley Washington Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon W. E. Niblack it is ordered that Asa Iglehart Esquire of Evansville State of Indiana be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. S. H. Johnston

it is ordered that Joseph F. Carr Esquire of Augusta State of Georgia be admitted to practice as an attorney and counsellor of this court & he was sworn accordingly.

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83 Archibald McPuig et al. vs. The Steamer Ariadne &c. Appellants

The argument of this cause was continued by Mr E. H. Owen of counsel for the appellees, and concluded by Mr J. E. Parsons of counsel for the appellants.

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93 Paul Sears et al. vs. Steamer Scotia &c. Appellants

On consideration of the motion of Mr Carter to pass this cause when reached in the regular call and assign a day for hearing it is now here ordered by the court that said motion be, and the same is hereby denied the court being equally divided in opinion.

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521 The Steamer Cayuga &c vs. Appellant
Hoboken Land and Improvement Company.

The argument of this cause was commenced by Mr C. Townsend of counsel for the appellant, and continued by Mr W. J. A. Fuller of counsel for the appellees.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Wednesday January 24. 1872.

Pursuant to adjournment the court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
Joseph P. Bradley
} Associate Justices

Richard C. Parsons Esqre Marshal.

Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

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75 A. H. Christmas et al. Appellants vs. H. A. Gaines et al.

On motion of Mr P. Phillips it is ordered that leave be granted the Clerk, to issue the mandate in this cause

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81. The Steamer Cayuga &c. vs. Hoboken Land and Improvement Company. Appellant

The argument of this cause was continued by Mr H. J. A. Fuller of counsel for the appellees and concluded by Mr C. Pansault of counsel for the appellants

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82. The Steamer Bridgeport &c. vs. George and David Shaw. Appellant

This cause was submitted to the consideration of the Court on the record and printed argument by Mr E. A. Cowen of counsel for the appellants, and by Mr D. D. Lord for the appellees.

86. The Steamboat Irrigation &c. Appellants
vs.
John Gordon et al.
and
The Propeller Mary J. Vaughn.
87. vs. Appellant
John Gordon et al.

The argument of these Cases was commenced by Mr Beaubien of counsel for the appellants in No 87, continued by Mr F. J. Filhiau for the appellant in No 86, by Mr Lyon of counsel for the appellees in both cases, & concluded by Mr Filhiau and Mr Beaubien for the appellants.

Proclamation being made the Court is adjourned until tomorrow, morning at Eleven o'clock.

Thursday January 20. 1870.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
Joseph P. Bradley
} Associate Justices

Richard C. Parsons Esquire Marshal.
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr T. J. D. Fuller it is ordered that Peleg Bradbury Esquire of Portland State of Maine, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court

on this behalf by Hon S. P. Rhind it is ordered that Osman Ray Esquire of Lancaster State of New Hampshire be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly

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On motion first made to the court in this behalf by Hon A. G. Thurman it is ordered that William F. Dillon Esquire of Davenport State of Iowa be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

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88. The Steamship Western Metropolis 2s. Appellants
John Low, junior.

This cause was argued by Mr J. Hemsley Ashton and Mr William Marvin of counsel for the appellants, and by Mr R. D. Benedict, of counsel for the appellee.

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82. Henry B. Plant in Piffin Error vs Josiah Stovall | On the motion of Mr Carr it is now here ordered by the court that he be allowed ten days to file an additional brief in this cause.

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89 The Norwich & New York Transportation Company. vs. Appellant William A Wright et al | The argument of this cause was commenced by Mr E. H. Owen of counsel for the appellant.

Declaration being made the Court is adjourned until to morrow morning at Eleven o'clock.

Friday January 26th 1872.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase, Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices.

Richard C. Parsons Esquire Marshal
Daniel Wesley Middleton Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Solicitor General Bristow it is ordered that John M Butler Esquire of Indianapolis in the State of Indiana be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr Charles Denslow it is ordered that Franklin A. Wilcox Esquire of New York City, State of New York be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

204	The United States vs. Appellants Samuel S. Smoot, and Samuel S. Smoot 205 vs. Appellants The United States.	Mr F. F. Dubee moved the Court to advance these cases on the docket, and assign a day for hearing. On consideration whereof it is now here ordered by the Court, that said motion be and the same is hereby denied.

192	Wells Fargo & Company. vs. Piff in Error A. McGregor, assignee of John M. Clarkson.	The argument of the motion to dismiss

this cause was continued by Mr F. A. Dick in opposition to the motion, and concluded by Mr Robert Leech in support of the same Whereupon this court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

46	The United States Appellants Edward Laplante	Appeal from the Court of Claims

This cause came on to be heard on the transcript of the record from the Court of Claims, and on the motion of Mr Assistant Attorney General Hill of Counsel for the appellants, it is now here ordered adjudged and decreed by this Court, that this appeal be, and the same is hereby dismissed.

per Mr Chief Justice Chase.

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391. The Houston Direct Navigation Company vs. Plff in Error. Charles Guyer & E. E. Parker. | In Error to the Circuit Court of the United States for the Eastern District of Texas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Texas, and on the motion of Mr H. M. Boyce of counsel for the plaintiff in error, it is now here ordered and adjudged by this court, that the writ of error in this cause be and the same is hereby dismissed with costs.

per Mr Chief Justice Chase.

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102. J. H. Davidson et al vs. Plffs. in Error, The United States. | Mr McDonald and Mr Roache of counsel for the plaintiffs in Error, having filed and read in open court, a sugges-

dence of a diminution of the record in this case, in the words & figures following to wit:

"That said transcript does not contain the proceedings and judgment, in the Circuit Court on the writ of error to the District Court."

By reason of which omissions and errors aforesaid the said Counsel now here moved the Court to award a writ of certiorari to be directed to the Judges of the Circuit Court of the United States for the District of Indiana commanding them that searching the record and proceedings of said Court in this cause, they shall certify to this court under the seal of the said Circuit Court whatever omissions and errors shall be found. On consideration whereof it is now here ordered and adjudged by this Court, that a writ of certiorari be, and the same is hereby awarded to be issued forthwith and to be directed to the Judges of the Circuit

Court of the United States for the District of Indiana, commanding them that searching the records and proceedings aforesaid, they forthwith certify to this Court under the seal of the said Circuit Court whatever omissions and errors shall be found in this cause, and return the same with the said writ of certiorari forthwith to this Court.

per Mr Chief Jus. Chase.

Samuel G. Wheeler Jr.
568 " Appellant
George Harris et al.

The motion to dismiss this appeal was submitted to the consideration of the court on printed argument by Mr C. Donohue in support thereof, and leave granted Messrs Goodrich and Wheeler to file printed argument on Friday next, in opposition to the motion.

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330. The Kennebec & Portland Railroad Company. vs Plaintiff in error
The Portland & Kennebec Railroad Company.

Mr. Nelson Libby having filed and read in open court a suggestion of a diminution of the record & proceedings in this cause. Now here moved the court to award a writ of certiorari to be directed to the Judges of the Supreme Judicial Court of the State of Maine, commanding them that searching the records and proceedings of said court in this cause, they shall certify to this court under the seal of the said Supreme Judicial Court, a perfect transcript of the record. On consideration whereof, it is now here ordered and adjudged by this court, that a writ of certiorari be and the same is hereby awarded, to be issued forthwith and to be directed to the Judges of the Supreme Judicial Court of the State of Maine commanding them that they forthwith certify to this court, under the seal

of the said Supreme Judicial Court a perfect transcript of the record in this cause and return the same with the said writ of certiorari forthwith to this court.

per Mr Chief Justice Chase.

Ex parte, In the matter of Alexander McNeil. Original ... Petitioner

and

Ex parte, In the matter of Henry W. Loud Original Petitioner

The argument of the motion for a prohibition to the District Judge of the United States for the Eastern District of New York, was commenced by Mr C. Donohue in support of the same, continued by Mr F. A. Wilcox in opposition thereto and concluded by Mr Donohue in support of the motion. Whereupon the court not being now sufficiently advised of & concerning what order to render in the premises took time to consider.

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205. The United States vs Thomas M. Kelly. | Appellants | Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and on the motion of Mr Solicitor General Preston of counsel for the appellants, it is now here ordered, adjudged and decreed by this court, that this appeal be, and the same is hereby dismissed.

per Mr Chief Justice Chase

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523. The First National Bank of Washington &al. vs The State of Texas. | Plffs in Error. | The motion to dismiss the writ of error in this cause was

argued by Mr T. J. Durant, in support of the same, - No counsel appearing to argue in opposition to the motion. Whereupon this court not being now here suffi-

cently advised of & concerning what order to render in the premises took time to consider

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The Norwich and New York Transportation Company
vs. Appellant
William H. Wright et al. Respts

The argument of this cause was continued by Mr E. H. Owen of counsel for the appellants.

Proclamation being made the Court is adjourned until Monday morning next at Eleven O'clock.

Monday January 29. 1872.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley.
} Associate Justices.

Richard C. Parsons Esquire, Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

C. Adolph Low, & H. Caldwell, Samuel Hart & G. A. Low.	In error to the Supreme Court of the State of California.
1142. vs. Pfiffs in error.	
Alexander Austin.	

This cause came on to be heard on the transcript of the record from

the Supreme Court of the State of California and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said Supreme Court in this cause be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Supreme Court for further proceedings to be had therein in accordance with the opinion of this court.

per Mr Justice Field.

The Nicholson Pavement Company, Plaintiff in error, vs. Charles E. Jenkins. } Error to the Circuit Court of the United States for the District of California.

This cause came on to be heard on the transcript of the record from the

Circuit Court of the United States for the District of California and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court with directions to award a Venire facias de novo

per Mr Justice Davis.

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21. The Barque "Delaware" &c. Nicholas Pilchard, Claimant, Appellant, vs. The Oregon Iron Company. | Appeal from the Circuit Court of the United States for the District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the

United States for the District of California and was argued by counsel. On consideration whereof, it is now here ordered adjudged & decreed by this Court that the decree of the said Circuit Court in this cause in and the same is hereby affirmed with costs, and interest until paid at the same rate per annum that decrees bear in the Courts of the State of California.

per Mr Justice Clifford.

The Commonwealth of Kentucky
Appellant vs. Petitioner
George S. Boutwell
Secy of the Treasury

On consideration of the motion filed in this cause for a rule on the defendant to show cause why a writ of Mandamus should not issue, and of the argument of counsel thereupon had, as well in support of as against the same it is now here ordered by the Court that said motion be

and the same is hereby granted and upon the coming in of the answer to said rule all questions will be open for argument.

per Mr Chief Justice Chase.

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17. The United States vs. John A. Klein Exec'g adm'r of Victor F. Nelson, deceased. | Appeal from the Court of Claims

This cause came on to be heard on the transcript of the record from the Court of Claims and was argued by Counsel. On consideration whereof it is now here ordered adjudged & decreed by this Court that the decree of the said Court of Claims in this cause be and the same is hereby affirmed.

per Mr Chief Justice Chase.

Dissenting
Mr Justice Miller
" " Bradley

William H. Freeborn
James T. Freeborn, and
H. P. Sumner as W. H.
Freeborn & Company,
1131 vs. Appellants.
The S.p "Toledor"
J. C. Bell, Claimant

Appeal
from the
Circuit
Court of
the United
States for
the Southern
District of
Alabama

This cause came on to be heard
on the transcript of the record from
the Circuit Court of the United
States for the Southern District of
Alabama, and on the motion of
Mr P. Phillips to dismiss this appeal
which was argued by counsel -
On consideration whereof it is now
here ordered adjudged and decreed
by this Court, that this appeal be,
and the same is hereby dismissed
with costs.

per Mr Chief Justice Chase.

79 Lemuel W. Mason as Appellant Edward A. Rollins commissioner of Internal Revenue et al. | Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois and was argued by counsel. On consideration whereof, it is now here ordered adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

Per Mr Chief Justice Chase

80. Parker R. Mason as Appellant S. S. Mann, Deputy, Coll. Int. Revenue. | Appeal from the Circuit Court of the United States

for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

per Mr Chf Jus Chase.

Parker R. Mason
81 vs. Appellant,
P. W. Hart, Deputy Collector of Internal Revenue et al.

Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United

States for the Northern District of Illinois and was argued by counsel. On consideration whereof, it is now here ordered adjudged and decreed by this court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

per Mr Chief Justice Chase.

The First National Bank of Washington and M. S Huntington	On consideration of the motion to dismiss this cause and of the argument of
523. vs. Peffs in Error	
The State of Texas.	

counsel in support thereof, it is now here ordered by the court that said motion be, and the same is hereby denied.

per Mr Chief Justice Chase.

The Northwestern Union Packet Co.	In error to the Supreme Court of
vs Plff in Error.	
The Home Insurance Company of New York.	

for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

per Mr Chf Jus Chase.

Parker R. Mason
vs. Appellant,
P. W. Hart, Deputy Collector of Internal Revenue et al.

Appeal from the Circuit Court of the United States for the Northern District of Illinois.

61

This cause came on to be heard on the transcript of the record from the Circuit Court of the United

States for the Northern District of Illinois and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

per Mr Chief Justice Chase.

The First National Bank of Washington and W. S Huntington	On consideration of the motion to dismiss this cause and of the argument of
522 vs. Plffs in Error	counsel in support thereof, it is
The State of Texas.	now here ordered by the Court that said motion be, and the same is hereby denied.

per Mr Chief Justice Chase.

The Northwestern Union Packet Co.	In error
vs Plff in Error.	to the
The Home Insurance Company of New York	Supreme
	Court of

the State of Iowa.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Iowa, and on the motion of Mr McCrary to strike out a certain paper, and was argued by counsel. On consideration whereof, it appearing to the Court that there is no allowance of the writ of error in this cause, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby dismissed with costs. Per Mr Chief Justice Chase.

1169 The United States vs Appellants
Edward Lyplante.

On the motion of Mr Hughes it is ordered by the Court that leave be granted the Clerk to issue the mandate in this cause.

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89 The Norwich & New York Transportation Company vs Appellant. Wm H. Wright et al.

The argument of this cause was continued by Mr C. R. Ingersoll of counsel for the appellees, and concluded by Mr Jeremiah Halsey of counsel for the appellants.

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90 Chicago and North Western Railroad Co. vs Pl'ffs in Error Henry K. Whiton, adm'r.

The argument of this cause was commenced by Mr D. O. Howe of counsel for the plaintiffs in Error.

Proclamation being made the court is adjourned until to-morrow morning at eleven o'clock.

Tuesday January 30. 1872.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices

Richard C. Parsons Esquire Marshal

Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr E. H. Owen it is ordered that J. James Glover Esquire of New York City be admitted to practice as an attorney & counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Hon T. O. Howe, it is ordered that Lucien S. Gilbert Esquire of Salem State of Ohio, be admitted to practice as an attorney and Counsellor of this Court, and he was sworn accordingly.

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70 The Chicago & Northwestern Railroad Company. vs. Plff in Error, Henry K. Whiton, admr. | The argument of this Cause was

Continued by Mr T. O. Howe of counsel for the plaintiff in error, by Mr J. A. Sleeper of counsel for the defendant in error, and concluded by Mr T. O. Howe, for the plaintiff in error.

---

90 The Norwich & N.Y. Trans Co vs Plff in Error. John Flint | The argument of this cause was commenced by Mr Jeremiah Halsey of Counsel for the plaintiff in error. The court

declined hearing further argument in the case.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven oâlock.

Wednesday January 31. 1872.

Pursuant to adjournment the court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices

Richard C. Parsons Esquire, Marshal.
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr James K. Dodds it is ordered that William M. Foote Esquire of San Francisco State of California be admitted to practice as an attorney & Counsellor of this Court and he was sworn accordingly.

The People of the State of New York.
71. vs Plaintiffs in Error.
The Central Railroad Company of New Jersey.

On motion of Mr Frelinghuysen it is ordered by the Court that leave be granted the Clerk to issue the mandate in this cause.

Hibernia Armstrong
492. vs. Appellant
The United States.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr R. M. Corwine of counsel for the appellant, and by Mr Solicitor General Bristow of counsel for the appellee.

Truman G. Wright
91. vs Appellant
Alexander N. Fullerton

This cause was argued by Mr J. R. Goodale of counsel for the appellant, and by Mr E. Beckwith for the appellee.

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92. Hiram O. Alden vs. Piff in error. The First National Bank of Chicapee

The argument of this cause was commenced by Mr Brown Bradbury of Counsel for the plaintiff in error, and continued by Mr M. P. Knowlton of Counsel for the defendant in error.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Thursday February 1. 1872.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase, Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices.

Richard C. Parsons, Esquire, Marshal.
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

J. Barlemeyer, Sr. plff. in Err. vs. Plyffen Error The State of Iowa.

This cause was submitted to the consideration of the Court on the record and printed argument by Mr William T. Dillon of counsel for the plaintiff in error, and by Mr Henry O'Connor for the defendant

in error.

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92. Miriam O. Alden vs Pelff in Error The First National Bank of Chicopee.

The argument of this cause was continued by Mr M. P. Knowlton of counsel for the defendant in error, and concluded by Mr Benj Bradbury for the plaintiff in error.

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105. The New Haven Steam Transportation Company. vs. Appellants. The Steamboat "Continental"

(substituted for No 93.) This cause was argued by Mr C. R. Ingersoll, and Mr C. Donohue, of counsel for the appellants, and by Mr E. N. Dickerson for the appellee.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven oclock.

Friday February 2. 1872.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase, Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller — Associate
David Davis — Justices
Stephen J. Field
William Strong
Joseph P. Bradley

Richard C. Parsons Esquire, Marshal
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr T. W. Bartley, it is ordered that Thomas S. Powell Esquire of Delaware State of Ohio, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Hon Hannibal Hamlin it is ordered that E. H. Harding Esquire of Hampden State of Maine be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

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17. The United States as Appellant vs John A. Klein | Mr T. W. Bartley moved the court to grant leave to the Clerk to issue the mandate in this cause thereupon this court not being now sufficiently advised of & concerning what order to render in the premises took time to consider.

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281. Benjamin H. Gellner as Appellant vs The United States. | The motion to remand the record in this case to the Court of Claims to amend its finding of facts was argued by Mr A. G. Riddle in support of the

same, and by Mr Assistant Attorney General Hill in opposition thereto. Whereupon this Court not being now here sufficiently advised of, and concerning what order to render in the premises took time to consider.

1441 John H. Haughton et al. vs. Anna E. Smallwood. | The motion to dismiss this cause was argued by Mr W. S. Cox in support of the same and by Mr J. R. Dodd in opposition thereto.

1442 John H. Haughton & Laurence J. Haughton vs. Anna E. Smallwood. | Appeal from the Circuit Court of the United States for the District of North Carolina

This cause came on to be heard on the transcript of the record from the Circuit Court of the

United States for the District of North Carolina, and on the motion of Mr D. T. Cox, to dismiss this appeal which was argued by Counsel. On consideration whereof, it is now here ordered adjudged and decreed by this Court that this appeal be, and the same is hereby dismissed with costs.

Per Mr Chief Justice Chase.

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157. James S. Easley et al. vs. John H. Kellom et al. Appellants. | Mr James Hughes in behalf of Mr J. M Woolworth of counsel for the appellants, having filed and read in open court, a suggestion of a diminution of the record in this cause in the words and figures following to wit;

"That the decree of the Circuit Court as the same appears on pages 38 & 39. of the book, does not give the description of the premises whereon the said decree should operate,

whereas the decree of said Court as rendered does contain such description.

By reason of which omissions and errors aforesaid, the said counsel now here moved the Court to award a writ of certiorari to be directed to the Judges of the Circuit Court of the United States for the District of Nebraska, commanding them that searching the records proceedings of said Court in this cause, they shall certify to this Court, under the seal of the said Circuit Court whatever omissions and errors shall be found. On consideration whereof it is now here ordered and adjudged by this Court that a writ of certiorari be, and the same is hereby awarded to be issued forthwith and to be directed to the Judges of the Circuit Court of the United States, for the District of Nebraska, commanding them that searching the records and proceedings aforesaid, they forthwith certify to this Court under the seal of the

said Circuit Court whatever errors and errors shall be found, in this cause, and return the same with the said writ of certiorari forthwith to this court.

per Mr Chief Justice Chase.

Wm. S. Huntington et al
129. vs. Plffs in error.
The State of Texas.

The State of Texas
430 vs. Plffs in Error
Wm. S. Huntington et al.
and
The First National Bank
of Washington et al.
523 vs. Plffs in Error.
The State of Texas.

The motion to advance these cases was argued by Mr J. J. Durant in support of the same, and by Mr J. Hubley Ashton in opposition thereto. Whereupon this court not being now here sufficiently advised of, and concerning what order to

tender in the premises took time to consider.

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604. Frederick Hoellge &c. Appellant / Charles Hoeller and Henry S. Hoeller.

Mr A. F. Perry having filed and read in open court the following

Certificate to wit:

"Proceedings in Chancery before the Honorable Humphrey H. Leavitt, District Judge of the United States for the Southern District of Ohio, in the Circuit Court of the United States for the Southern District of Ohio at the October Term 1870, begun and held and continued by adjournment from day to day, to the 9th day of January 1871, when the following among other proceedings were had.

Frederick Hoellge
No 1405. vs. Chancery.
Charles Hoeller &
Henry S. Hoeller

Friday February 2, 1872. Continued.

This cause came on to be heard at this term upon the Bill of complaint and the demurrer of said defendants to the whole of said bill and was argued by Counsel, and thereupon upon Consideration thereof the Court do allow said demurrer, - And it is further adjudged and ordered by the Court that the said bill be, and the same is hereby dismissed at the costs of said complainant taxed at $51.95/100 - And the complainant is ordered to pay the costs within ten days and in default thereof execution is awarded therefor as upon a judgment at law. - Whereupon complainant gives notice of an appeal to the Supreme Court of the United States which is allowed by the Court, and the amount of the appeal bond fixed at five hundred dollars.

In the Circuit Court of the United States.

Southern District of Ohio.

Frederick Hoeltge
1406. vs
Charles Hoeller &
Henry Samuel Hoeller. } Chancery.

I, John M. Logan Clerk of the Circuit Court of the United States of said Circuit and District hereby certify that the above and foregoing is a true and faithful transcript and exemplification of a certain decree made by the aforesaid Judge in the said Court, on the 9th day of January 1871, and that at the said term the said complainant came into open court by his counsel and claimed an appeal to the Supreme Court of the United States which was then and there granted, and the name of all the parties to said decree are truly set out in the title thereof, at the head of said decree.

(Seal) In witness whereof, I have hereunto set my hand and

seal of said Circuit Court, at Cincinnati in said Southern District of Ohio on this twenty-fourth day of January A.D. 1872.

John McLean
Clerk."

and having stated that the appellant had altogether failed to file the record of said cause in this court, or in any way to prosecute said appeal now here moved the Court in pursuance of the 9th rule of this court to have this appeal docketed & dismissed. On consideration whereof it is now here ordered, adjudged and decreed by this Court that this appeal from the Circuit Court of the United States for the Southern District of Ohio be, and the same is hereby docketed and dismissed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court to be proceeded in according to law and justice the said appeal notwithstanding

Proclamation being made the Court is adjourned until Monday morning next at Eleven o'clock.

Monday February 5. 1872

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices.

Richard C. Parsons Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

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96. The United States as Appellants vs Daniel Wormer. | Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by Counsel - On consid-

eration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Court of Claims in this cause be, and the same is hereby reversed. And that this cause be, and the same is hereby remanded to the said Court of Claims with directions to dismiss the petition.

per Mr Justice Bradley.

The Milwaukee & Minnesota Railroad Company. Appeal from the Circuit Court of the United States for the District of Wisconsin.

By. vs. Appellant

James T. Soutter, Survivor &c. Russell Sage. The Milwaukee & St Paul Railway Company, Alexander Mitchell, E. Morrison, F. Bloodgood, J. Cary, John Johnston, H. G. Fitch & C. F. Loomis.

This cause came on to be heard on the Transcript of the record from the Circuit Court of the

United States for the District of Wisconsin, and was argued by counsel. On consideration whereof, it is now here ordered adjudged & decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs. And that this cause be and the same is hereby remanded to the Circuit Court of the United States for the Eastern District of Wisconsin.

Dissenting. Mr Justice Field, " Chief Jus. Chase. " Jus. Miller. } per Mr Justice Bradley.

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51. William Carlton, and The Bridgeport Brass Co. vs. Howard Bokee. | Appeal from the Circuit Court of the United States for the District of Maryland.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maryland and was argued by counsel. On consideration whereof, it is now here ordered adjudged & decreed by this court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

per Mr Justice Bradley.

Noel Byron Boyden, David W. Jones et al. vs. Pltffs in Error, The United States. | In Error to the Circuit Court of the United States for the District of Wisconsin.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Wisconsin, and was argued

by counsel. On consideration whereof, it is now here ordered & adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed. And that this cause be, and the same is hereby remanded to the Circuit Court of the United States for the Eastern District of Wisconsin.

per Mr Justice Strong.

John G. Halliburton, Silas F. Field, Richard H. Johnson, John J. McAlmont, Samuel F. Dolley, & Andrew J. Hutt. Plaintiffs in Error.
vs.
The United States.

In error to the Circuit Court of the United States for the Eastern District of Arkansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of

Arkansas and was argued by Counsel. On consideration, it is now here ordered, and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed.

per Mr Justice Strong.

William A. Bevens, David S. Fraley, Robert C. Bates, William McLawrence, Joseph St. Egner, & Edwin McGuire. vs. The United States.	In error to the Circuit Court of the United States for the Eastern District of Arkansas.

6. Plaintiffs in error

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Arkansas, and was argued by Counsel. On consideration whereof, it is now here ordered & adjudged by this court, that the judgment

of the said Circuit Court in this cause be, and the same is hereby affirmed.

per Mr Justice Strong.

The County of Bath and the County court thereof. John D. Young, presiding judge of said court. J. G. Hunt, G. W. Sorrell, John Dickin, E. Blains, C. H. Cartwell, N. Wright, J. H. Kenny, C. Baird, C. P. VanPelt, William Shields, J. C. Lyons, S. N. Perry, J. Vick, Daniel Pieratt, justices of the Peace.

52. vs Plaintiffs in error,
Henry Amy.

In error to the Circuit Court of the United States for the District of Kentucky.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Kentucky, and was argued by Counsel. On consideration whereof,

it is now here ordered & adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court, with directions to dismiss the petition for a mandamus.

per Mr Justice Strong.

Charles Gibson
vs. Pleffen Error.
Chas. P. Chouteau,
and Julia Moffitt,
devisees of Pierre Chouteau deceased.

In Error to the Supreme Court of the State of Missouri.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Missouri and was argued by Counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the

said Supreme Court in this cause be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Supreme Court for further proceedings to be had therein in conformity with the opinion of this court.

Dipenting. } per Mr Justice Field.
Mr Jus Strong. }
" " Davis. }

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51. Jabez Dooley vs Sheff in error, Enoch Smith. | In error to the Court of Appeals of the State of Kentucky.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Kentucky, and was argued by counsel. On consideration whereof, it is now here ordered & adjudged by this court that the judgment of the said Court of Appeals, in this cause, be, and

the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Court of Appeals for further proceedings to be had therein in conformity with the opinion of this Court.

Dissenting:
Mr Jus. Field
" Chf Jus. Chase,
" Jus. Clifford

per Mr Justice Miller.

P. B. Stark adm'r. &c. of James B Taylor, decd. and John E. Devlin, Martha Josephine Devlin, and Laura S. Taylor.
331. vs. Pltffs in Error.
W. H. Zimmerman and E. E. Norton, assignees &c.

In error to the Circuit Court of the United States for the District of Louisiana

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana, and was argued by counsel. On con-

adjudication whereof, it is now here ordered and adjudged by this court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

per Mr Justice Miller.

P. B. Fouke, admr of James B. Taylor, dec'd. & John E. Devlin, Martha Josephine Devlin, and L. S. Taylor.

332. vs. Selffs in Error, Louis Hubert and E. E. Norton, assignees &c.

In error to the Circuit Court of the United States for the District of Louisiana

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this court, that the judgment of the said Circuit Court in this cause, be,

and the same is hereby affirmed with Costs.

per Mr Justice Miller.

Archibald M. Pentz, Jacob Pentz, John S Williams, William H. Swain, John H. Curtis, & Wm. J. McDonald.		Appeal from the Circuit Court of the United States for the Southern
83	v. Appellants	
The Steamer "Ariadne" her engine, machinery &c. - Chas. Mallory Claimant.		

District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States, for the Southern District of New York, and was argued by Counsel. On consideration whereof, it is now here ordered adjudged & decreed by this Court, that the decree of the said Circuit Court in this cause be, and the same is hereby

reversed as to the appellants with costs. And that this cause be and the same is hereby remanded to the said Circuit Court with directions to enter a decree in conformity with the opinion of this Court.

per Mr Justice Swayne.

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568. Samuel G. Wheeler jr. as Appellant. George Harris et al. | On consideration of the motion to dismiss this cause, and of the argument of counsel thereupon had as well in support of, as against the same it is now here ordered by this Court that said motion be, and the same is hereby denied.

per Mr Chief Justice Chase.

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145 Samuel G. Wheeler, jr. vs. George Harris, Wm Cain Harris, and Andrew J. Howell. Appellant | Appeal from the Circuit Court of the United States for

the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States, for the Southern District of New York. On consideration whereof it is now here ordered adjudged & decreed by this court that this appeal be, and the same is hereby dismissed with costs.

Per Mr Chief Jus. Chase.

Wells Fargo & Company. vs. Pfiffs in Error, A. McGregor, assignee of John M. Clarkson. | In Error to the Supreme Court of the Territory of Montana.

202.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Montana, and on the motion of Mr Leach to dismiss this cause which was argued by counsel. On consideration whereof it is now here or-

ded and adjudged by this court that the writ of error in this cause be, and the same is hereby dismissed with costs.

per Mr Chief Jus Chase.

W. S. Huntington et al.
429. vs. Plffs in Error
The State of Texas.

The State of Texas.
430 vs. Plff in Error
W. S. Huntington et al.
and
The First National Bank
of Washington et al.
523. vs. Plffs in Error,
The State of Texas.

On consideration of the motion to advance these cause and of the argument of Counsel thereupon had as well in support of as against the same, it is now here ordered by the court that said motion be, and the same is hereby granted, - and that those causes be assigned for argument on Monday the 4th day of March next.

the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York. On consideration whereof it is now here ordered adjudged & decreed by this court that this appeal be, and the same is hereby dismissed with costs.

per Mr Chief Jus. Chase.

Wells Fargo & Company. vs. Pipps in Error, H. McGregor, assignee of John M Clarkson. | In Error to the Supreme Court of the Territory of Montana.

292.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Montana, and on the motion of Mr Leach to dismiss this cause which was argued by counsel. On consideration whereof it is now here or-

dered and adjudged by this court that the writ of error in this cause be, and the same is hereby dismissed with costs.

per Mr Chief Jus Chase.

W. S. Huntington et al.
429. vs. Plffs in Error
The State of Texas.

The State of Texas.
430 vs. Plff in Error
W. S. Huntington et al.
and
The First National Bank
of Washington et al.
523. vs. Plffs in Error,
The State of Texas.

On consideration of the motion to advance these cases and of the argument of Counsel) thereupon had as well in support of as against the same, it is now here ordered by the Court that said motion be, and the same is hereby granted. - And that these causes be assigned for argument on Monday the 4th day of March next.

1178. Horace Stout vs. The People of the U.S. in the Territory of Utah. | In Error to the Supreme Court of the Territory of Utah.

Four of the Judges are of opinion that on habeas corpus, if the commitment be shown to be on an indictment regular in form and for a crime of which the court has jurisdiction - the Judge cannot discharge for matters behind the indictment, such as irregularities in the summons of grand jury &c. - and therefore that the judgment ought to be affirmed.

The other Judges are of a different opinion, thinking the summons in this case wholly void, and the court being equally divided on this point the judgment must necessarily be affirmed.

478.	Hosea Stout vs. Plffin Error. The People of the U.S. in the Territory of Utah.	In error to the Supreme Court of the Territory of Utah.

This Cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Utah, and was argued by counsel. On consideration whereof, the court being equally divided in opinion it is now here ordered and adjudged by this court, that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

By a divided Court.

104.	L. Outman et al, vs. Appellants Charles Sawyer et al.	On consideration of the motion filed in this cause

for additional security and of the argument of counsel thereupon.

had, as well in support of, as against the same, it is now here ordered by the Court that said motion be, and the same is hereby denied - The Court being equally divided in opinion.

981.	Benjamin H. Zellner vs. The United States.	Appellant	On consideration of the motion to remand this cause to the Court of Claims, to amend its finding of facts, and of the argument of counsel thereupon had, as well in support of, as against the same, it is now here ordered by the Court that said motion be, and the same is hereby denied.

per Mr Chief Justice Chase

510.	William F. Davidson vs. Arthur Connelly.	Plaintiff in error	In error to the Supreme Court of the State of Minnesota.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Minnesota and on the motion of Mr Smith of counsel for the defendant in error, to dismiss this cause, which was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this court, that the writ of error in this cause be, and the same is hereby dismissed for the want of jurisdiction.

per Mr Chief Justice Chase.

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82. Henry B. Hart vs Josiah Stovall. | In error to the Supreme Court of the State of Georgia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Georgia, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this court

had, as well in support of as against the same, it is now here ordered by the Court that said motion be, and the same is hereby denied - The Court being equally divided in opinion.

Benjamin F. Zellner
781. vs. Appellant
The United States.

On consideration of the motion to remand this cause to the Court of Claims, to amend its finding of facts, and of the argument of counsel thereupon had, as well in support of, as against the same, it is now here ordered by the Court that said motion be, and the same is hereby denied.

per Mr Chief Justice Chase

William F. Davidson.
510. vs. Plaintiff in error.
Arthur Connelly.

In error to the Supreme Court of the State of Minnesota.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Minnesota and on the motion of Mr Smith of counsel for the defendant in error, to dismiss this cause, which was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this court, that the writ of error in this cause be, and the same is hereby dismissed for the want of jurisdiction.

per Mr Chief Justice Chase.

	Henry B. Plant	In error to the
82.	vs	Supreme Court
	Pliff in error.	of the State of Georgia.
	Josiah Stovall.	

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Georgia, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this court

that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs. per Mr Chief Justice Chase.

Beverly Tompkins, Thomas R. Swann et al. vs. Alfred A. Thornton. | Appeal from the District Court of the United

39. States, for the District of West Virginia.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of West Virginia, and was argued by counsel. On consideration whereof, the Court being equally divided in opinion, it is now here ordered adjudged and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby affirmed with costs.

By a divided Court.

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94. The Steamship Thames &c. vs. Billop Seaman. Appellant

This cause was argued by Mr S. F. Lee junior of counsel for the appellee, and submitted on printed argument by Messrs Barney Butler & Parsons of counsel for the appellant.

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95. The President &c. of the Delaware & Hudson Canal Company. vs. Henry C. Clark. Appellants

The argument of this cause was commenced by Mr S. F. Nash of counsel for the appellants.

Proclamation being made the court the court is adjourned until to-morrow morning at Eleven o'clock.

Tuesday, February 6. 1872.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices.

Richard C. Parsons Esquire Marshal.

Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

The President &c. of the Delaware and Hudson Canal Company. Appellants vs. Henry C. Clark.

The argument of this cause was continued by Mr Henry E. Knox of Counsel for the appellee, and concluded by Mr E. H. Owen of Counsel for the

appellants.

The Great Western Insurance Company. vs. Pfff on Error, William Thwing.	The argument of this cause was commenced by Mr R. H. Dana junior of counsel for the plaintiff in Error.

96.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven o'clock.

Wednesday February 1. 1792.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase Chief Justice
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices.

Richard C. Parsons Esquire Marshal
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf, by Mr James M. Carlisle it is ordered that Will. H. Battle Esquire of Raleigh State of North Carolina, be admitted to practice as an attorney & Counsellor of this Court, and he was sworn accordingly.

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96. The Great Western Insurance Company vs. Piff in Error. William Hering.

The argument of this cause was concluded by Mr R. H. Dana junior, of counsel for the plaintiff in error, and submitted on printed arguments by Mr M. E. Ingalls and Mr C. Levi Woodbury in behalf of the plaintiff in error, and by Mr S. Bartlett and D. Thacher of counsel for the defendant in error.

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88. The Steamship Western Metropolis. Hiram Benner. Claimant. vs. Appellant. John Low, junior.

Appeal from the Circuit Court of the United States for the South. ern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District

of New York, and on the stipulation of counsel for the respective parties on file, it is now here ordered adjudged and decreed by this Court that this appeal be, and the same is hereby dismissed with costs.

per Mr Chief Jus Chase.

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97 | Pinckney C. Bethell vs. Edward Matthews. | Pleffin Error. | This cause was argued by Mr T. J. Durant of counsel for the defendant in error, & submitted on printed argument by Mr Miles Taylor of counsel for the plaintiff in error.

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98. | William H. Pugh vs. James L. McCormick. | Pleffin Error. | This cause was argued by Mr T. J. Durant of counsel for the defendants in error, and submitted on printed argument by Mr Miles Taylor of counsel for the plaintiff in error.

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99 The Wilmington and Weldon Railroad Co. vs Pfeiffer Error John H. Reid, Sheriff &c. and.

100 The Raleigh & Gaston Railroad Company. vs Pfeiffer Error John H. Reid Sheriff &c.

These cases were argued by Mr J. H. Carlisle and Mr J. D. McPherson of counsel for the plaintiffs in error, and by Mr W. H. Battle of counsel for the defendants in error.

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101 D. Gibson et al. vs. Appellants A. Warden et al.

The argument of this cause was commenced by Mr E. M. Johnson of counsel for the appellant Gibson.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven o'clock.

Thursday, February 8, 1872.

Pursuant to adjournment the Court met this morning at the Capitol.

Present:

The Honorable Salmon P. Chase Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices.

Richard C. Parsons Esquire Marshal
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr J. B. Henderson it is ordered that George E. Leighton Esquire of St Louis State of Missouri be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the court in this behalf by Hon S. Trumbull it is ordered that S. D. Puterbaugh and Wm. H. O'Brien Esquires of Peoria, and J. C. Robinson Esquire of Springfield State of Illinois be admitted to practice as attorneys and counsellors of this court and they were sworn accordingly.

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101. David Gibson et al vs Appellants
Americus Warden et al.

The argument of this cause was continued by Mr E. M. Wilson of counsel for the appellant Gibson, and concluded by Mr Aaron J. Perry of counsel for the appellants, Gaylord et al. No counsel appearing in behalf of the appellees.

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103 Solomon G. Kitchen vs Pltff in Error
Henry H. Bedford et al.

This cause was argued by Mr J. D. McPherson and Mr J. M. Carlisle of counsel

for the plaintiff in error, and submitted on printed argument by Mr T. T. Gantt, of counsel for the defendant in error.

The United States.	The argument
104 vs. Plffs in Error.	of this cause was
One Hundred barrels	commenced by
distilled Spirits, &c.	Mr Assistant
	Attorney General

Hill of counsel for the plaintiff in error, and continued by Mr J. A. Garfield of Counsel for the defendant in error.

Proclamation being made the Court is adjourned until tomorrow morning at Eleven o'clock.

Friday February 9. 1872.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices.

Richard C. Parsons Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon Matt. H. Carpenter it is ordered that Hon John Scott of Huntingdon State of Pennsylvania be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

119	Charles Richter et al. vs. Iliffs in Error. H. A. Smythe Collector of New York &c.	On the application of counsel, it is now here ordered

by the Court that this cause be substituted in the order of argument for No 93, for which No 105. had heretofore been substituted.

121.	The United States vs. Ferdinand Brown. Appellants	Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and on the motion of Mr Assistant Attorney General Hill of counsel for the appellants, it is now here ordered adjudged and decreed by this Court, that this appeal be, and the same is hereby dismissed.

per Mr Chief Justice Chase.

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573. John T. Bailey and James Cascaden. vs. The Stark Mills. | Appeal from the Circuit Court of the United States for the Eastern District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania and on the stipulation of counsel for the respective parties on file it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

per Mr Chief Jus Chase.

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574 The Stark Mills vs. John T. Bailey & James Cascaden. | Appeal from the Circuit Court of the

United States for the Eastern District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States, for the Eastern District of Pennsylvania and on the stipulation of counsel for the respective parties on file it is now here ordered adjudged and decreed by this court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed at the costs of the appellees.

per Mr Chief Justice Chase.

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573. John T. Bailey et al. vs. The Stark Mills. Appellants

and

574. The Stark Mills vs. John T. Bailey et al. Appellant

On the motion of Mr McMichael it is now here ordered by the Court that leave be granted the Clerk to issue the Mandates in these cases.

259	William H. Stark as Appellant The United States.	The motion for a rule on the Court of Claims

requiring them to certify certain depositions in this cause, to this Court, was submitted to the Consideration of the Court, on printed argument by Mr W. Penn Clarke in support thereof - Whereupon this Court not being now here sufficiently advised of, and concerning what order to render in the premises took time to consider.

60	The Commonwealth of Kentucky. Original - Petitioner George S. Boutwell, Secretary of the Treasury.	By agreement of counsel it is now here ordered by the Court that the

rule on the Secretary of the Treasury to show cause be set for argument on Friday the 8th of March next.

578 The United States vs Jas. W. Avery et al. | On the motion of Mr Reverdy Johnson and Consent of Mr Attorney General Williams, it is now here ordered by the Court that this cause be set for argument on Monday the 18th of March next.

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360. Peter F. Holden vs James F. Joy | The motion to advance this cause on the docket & assign a day for hearing was argued by Mr B. R Curtis and Mr Sidney Bartlett, in support of the same, and by Mr B. F. Butler in opposition thereto. Whereupon this Court not being now here sufficiently advised of & concerning what order to render in the premises took time to consider.

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264. The United States vs. Appellants
Samuel S. Smoot,
and
Samuel S. Smoot
266. vs. Appellant
The United States

The motion for a writ of certiorari in these cases was argued by Mr B.F. Butler in support thereof, and by Mr Assistant Attorney General Hill in opposition thereto. Whereupon this court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider

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17. The United States vs Appellants
John A. Klein.

The motion to grant leave to the Clerk to issue the mandate in this cause was argued by Mr Joseph Casey, and Mr T. W. Bartley in support thereof, and by Mr Solicitor General Bristow in opposition thereto. Whereupon this court not being

now here sufficiently advised of, and concerning what order to render in the premises took time to consider.

Franklin Philp & A.S. Solomons vs. Pitts in Error. Joseph Nock. | Mr Mussey submitted printed argument in opposition to the motion to

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dismiss this cause. Whereupon this Court not being now here sufficiently advised of & concerning what order to render in the premises took time to consider.

Henry C. Yager et al. vs. Pitts. in Error. Asa Farwell et al. | Mr Carlisle filed motion of Mr T.T. Gantt to award

72.

damages upon the affirmance of the judgment in this cause, in accordance with the second section of Rule 23. On consideration whereof, it is now here ordered by the Court

that said motion be, and the same is hereby denied.

John H. Haughton et al.		On the
144 vs.	Appellants.	motion
Anna E. Smallwood.		of Mr Carlisle

it is ordered by the Court that leave be granted the clerk to issue the Mandate in this cause.

The United States		The argument
104. vs.	Pleffs. in Error	of this cause
100 Barrels distilled Spirits		was continued by Mr J. A.

Garfield of counsel for the defendant in error, & concluded by Mr Solicitor General Bristow of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until Monday morning next at eleven o'clock.

Monday February 12. 1872.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices

Richard C. Parsons Esquire Marshal

Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Solicitor General Bristow, it is ordered that William H. H. Russell Esquire of St Louis, State of Missouri be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

The Norwich and New York Transportation Company vs. John Flint.	Plaintiff in error.	In Error to the Circuit Court of the United States for the District of Connecticut.

90.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Connecticut and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Connecticut.

per Mr Justice Bradley.

69 Frank B. Myers. vs. Peffin Error, John T. Croft. | In error to the Circuit Court of the United States for the District of Nebraska.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Nebraska and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

per Mr Justice Davis.

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110. George Alexander vs. Peffin Error. M. Reed, Walter Martin, J. P. Fuller, H. A. Gallison, J. G. Nelson, J. L. Kennedy, T. Ellsworth, J. Anderson, E. Phillips, M. Emison, H. Cremer, Tim Williams, Consolidated | In error to the Circuit Court of the United States for the District of California

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the district of California and was argued by counsel - On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

per Mr Justice Davis

The Trustees of Jefferson College in Canonsburg, in the County of Washington.		In error to the Supreme Court of the State
56. vs.	Plaintiffs in Error,	
Washington and Jefferson College.		

of Pennsylvania

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Pennsylvania, and was argued by counsel - On

Consideration whereof, it is now here ordered adjudged and decreed by this Court, that the decree of the said Supreme Court in this cause be, & the same is hereby affirmed with costs. Per Mr Justice Clifford.

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56. Francis J. Collier, David C. Houston, William Jeffrey, John S. Presly, and John Stays, Plffs. in Error: vs. Washington Jefferson College. In Error to the Supreme Court of the State of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Pennsylvania, and was argued by Counsel. On consideration whereof, it is now here ordered adjudged and decreed by this Court, that the decree of the said Supreme Court in this cause be, and the same is hereby affirmed

with costs.

per Mr Justice Clifford.

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57. David C. Houston
John Johnston et al.
vs. Pffs in Error
The Trustees of Jefferson
College, in Canonsburg,
in the County of Wash-
ington - & Jefferson College.

In error
to the Su-
preme Court
of the State
of Penn
sylvania.

This cause came on to be heard
on the transcript of the record
from the Supreme Court of the
State of Pennsylvania, and was
argued by counsel. On consider-
ation whereof, it is now here ordered
adjudged and decreed by this court,
that the decree of the said Supreme
Court in this cause be, and the
same is hereby affirmed with costs.

per Mr Justice Clifford.

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97 | Pinckney C. Bethell vs. Edward Matthews. | In error to the Circuit Court of the United States for the District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

per Mr. Chief Jus. Chase.

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91 | Truman G. Wright vs. Alexander N. Fullerton. Appellant | Appeal from the Circuit Court of the United States, for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States, for the Northern District of Illinois, and was argued by Counsel. On consideration whereof, the Court being equally divided in opinion, it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with Costs.

By a divided Court.

259 William H. Stark, Appellant vs The United States. | On consideration of the motion filed in this cause for a rule on the Court of Claims, & of the argument of Counsel thereupon had, as well in support of, as against the same, it is now here ordered by the Court that said motion be, and the same is hereby denied.

For Mr. Chief Justice Chase

Peter F. Holden, c. vs Appellant
James F. Jay.

On consideration of the motion to advance this cause and assign a day for hearing, and of the argument of counsel thereupon had as well in support of, as against the same. It is now here ordered by the court that said motion be granted. And that this cause be, and the same is hereby assigned for argument, on Tuesday the 2nd. day of April next.

Per Mr Chief Justice Chase.

The United States vs Appellants
John A. Klein.

On consideration of the motion to grant leave to the clerk to issue the mandate in this cause, and of the argument of counsel thereupon had, as well in support of, as against the same. It is now here ordered by the Court that said motion be, & the same is hereby granted.

Per Mr Chief Jus. Chase.

40.	The United States vs. Appellants Heirs of J. B. Vigil dec'd.	On the application of counsel, it is now here ordered by the Court that an extension of time of one hour be granted counsel, on each side in the argument of this cause.

40.	The United States vs Appellants Heirs of J B. Vigil dec'd.	The argument of this cause was commenced by Mr John A. Wills of counsel for the appellants and continued by Mr J. S. Watts of counsel for the appellee.

The Chief Justice announced that the Court would not sit on Wednesday.

Proclamation being made the Court is adjourned until tomorrow, morning at eleven o'clock.

Tuesday February 12. 1872.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Salmon P. Chase Chief Justice
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices

Richard C. Parsons Esquire Marshal.
Daniel Ware Middleton, Clerk.

Proclamation being made the Court is opened.

The Union Mutual Life Insurance Company of Maine vs. Hemy Wilkinson. Plff in Error.

This cause was submitted to the consideration

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of the Court on the record & printed arguments by Mr George G. Wright of counsel for the plaintiff in Error,

and by Hon Geo W. McCrary for the defendant in error.

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40. The United States as Appellants vs The Heirs of J.B. Vigil, dec'd. | The argument of this cause was continued by Mr J.S. Watts and Mr T. Ewing of counsel for the appellees, and concluded by Mr Solicitor General Bristow of counsel for the appellants.

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119. Charles Reiches et al. as Plffs in Error, vs. H. A. Smythe Collector of Internal Revenue &c. | (Substituted for 105.) This cause was argued by Mr Fred Chase of counsel for the plaintiffs in error, and submitted on printed arguments by Mr Solicitor General Bristow, and Mr Asst. Atto General Hill of counsel for the defendant in error.

Proclamation being made the Court is adjourned until Thursday morning next at eleven o'clock.

Thursday February 15. 1872.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Salmon P. Chase, Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley.

} Associate Justices.

Richard C. Parsons Esquire, Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made of the Court in this behalf by Hon M. H. Carpenter it is ordered that E. F. Rogers Esquire of St Paul State of Minnesota be admitted to practice as attorney & counsellor of this Court, and he was sworn accordingly.

On motion first made to the court in this behalf by Mr P. Phillips, it is ordered that Charles Case Esquire of New Orleans, State of Louisiana, be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

On motion first made to the court in this behalf by Mr C. B. Goodrich it is ordered that Lyman D. Brewster Esquire of Danbury, State of Connecticut be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

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106 Max Klingler vs. Pfeffer Error State of Missouri. | This cause was argued by Mr W. H. H. Russell of counsel for the plaintiff in error. No counsel appearing for the defendant in error.

City of Lexington vs. Jeffries error. S. C. Butler.

This cause was argued by Mr John T. Tisk of counsel for the plaintiff in error, and by Mr A. H. Stevenson of counsel for the defendant in error.

A. W. Norcross et al. Appellants vs. The Steamboat "Laura" &c

(substituted for No 108.) This cause was argued by Mr J. Hubley Ashton of counsel for the appellants, and by Mr T. J. Durant for the appellee.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.